

# **Eroding Transparency**

**US counterterrorism actions in Yemen  
under President Donald Trump**



Published by Airwars, October 2020. Airwars is a collaborative, not-for-profit organisation focused on reducing battlefield civilian casualties. We track, document and archive airpower-dominated military actions, and local reports of civilian harm in conflict zones. Presently covering Iraq, Syria, and Libya - as well as US counterterrorism actions in Somalia, Yemen and Pakistan - we provide a vital counter-narrative to the dominant military assertion that civilian deaths are low in modern warfare. Airwars contributes to truth-seeking and accountability through our pioneering work collecting, assessing, and archiving accounts from local journalists, citizens, and state and non-state actors - and leveraging that information for change.

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**Cover photograph:** Mabkhout Ali al Ameri with his 18-month old son Mohammed, shortly after a botched US raid on al Ghayil in January 2017 had killed at least 20 villagers, including Mohammed's mother Fatim Saleh Mohsen.  
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# Key findings

- A total of 230 alleged and declared US kinetic actions took place in Yemen during Donald Trump's presidency (2017-2020) according to Airwars monitoring. Of these, 181 US actions were officially declared. This likely marked the most intensive period of strikes in that country by any US president since 2001. However, this high tally disguises significant variations between individual years.
- The year 2017 saw the heaviest period of US actions in Yemen during the Trump administration, with 133 officially declared US airstrikes and ground actions. This spike in activity coincided with the administration labeling three provinces as 'areas of active hostilities', making it easier for US Central Command to conduct attacks.
- Since this early peak, US activity in Yemen has declined significantly. Only 21 declared or likely US actions took place in Yemen during 2019; while this year to October 2020, only 15 claimed US strikes had been tracked, the lowest levels of reported US activity in Yemen since 2011.
- Forty one of the 230 alleged and declared US actions in Yemen during Donald Trump's presidency were found by Airwars to have associated allegations of civilian harm. Of these, 25 reported US actions were assessed by Airwars to have likely resulted in civilian harm, reportedly leading to the deaths of between 86 and 154 civilians, including at least 28 children and 13 women.<sup>1</sup>
- Attributing civilian harm in Yemen remains a challenge, due both to parallel CENTCOM and CIA campaigns, as well as to a broader civil war involving multiple local and foreign actors. Even so, at least 63 civilians were confirmed or reported by multiple Yemeni and English sources to have been killed across 20 strikes and ground actions that have been officially confirmed by the US military. At least 23 more civilians likely died in what appear to have been undeclared US actions in Yemen, some possibly conducted by the CIA.
- At least 40 per cent of the total minimum likely civilian deaths estimated by Airwars resulted from confirmed or alleged US ground raids in Yemen, though these only accounted for between 1.5 and 3 per cent of all declared and likely US actions tracked by Airwars.
- As the US command responsible for military strikes in Yemen, CENTCOM has an obligation both to track and report on civilian harm from its actions. It appears to be failing on both counts. Recent claims to Congress that there were no known civilian harm claims relating to US actions in Yemen during 2019 were, for example, incorrect. Senior officials informed Airwars that CENTCOM presently has no formally constituted civilian casualty cell to cover Yemen allegations. And despite Airwars providing CENTCOM with its complete civilian harm findings on Yemen during the Trump presidency nine weeks prior to this report's publication, officials unfortunately failed to provide any event responses.

<sup>1</sup> Based on alleged or declared US actions with "fair" or "confirmed" reporting of civilian harm, according to the Airwars methodology

- From mid 2019 onwards, covert and clandestine actions in Yemen appear to have dominated US engagements, Airwars research shows - with troubling implications for civilian harm accountability. While the last CENTCOM-declared US military action in Yemen was on June 24th 2019, some 30 US strikes have reportedly taken place there since. Three of those attacks have in fact been declared by US officials, while a further fifteen events were assessed by Airwars to be likely US strikes.
- This report also notes the degree to which small Yemeni communities have often borne the brunt of US engagements. Almost a fifth of US actions under President Trump targeted a relatively small area to the north of Rada'a (مُدَيْرِيَّة رَدَاع), in Bayda (البضاء) governorate, for example. In addition, our findings point to a US campaign that appears often to misunderstand both complex Yemen tribal realities, and local relations with extremist groups, potentially proving a hindrance for local efforts to defeat Al-Qaeda in the Arabian Peninsula (AQAP) and Islamic State in Yemen (IS-Y).
- Unsurprisingly, given the weight of action in the initial period of the Trump presidency, fatalities among persons directly involved in hostilities primarily occurred in 2017 - with 60 per cent of the total tracked by Airwars killed in likely or declared actions during that year. Just under 90 per cent of the US actions tracked by Airwars were known or suspected to have targeted AQAP. Comparatively, just over five per cent of strikes targeted so-called Islamic State. These actions occurred almost entirely in October and November 2017.



# US actions in Yemen: an evolving conflict

Since the first known US drone strike was conducted in Yemen in 2002, two US campaigns have been ongoing in the nation, conducted in parallel by the US military and by the Central Intelligence Agency. The primary targets of this counterterrorism campaign have been Al-Qaeda in the Arabian Peninsula (AQAP) and more recently, Islamic State in Yemen (IS-Y).

This new Airwars dataset and analysis, published on the eve of the 2020 presidential election, sheds fresh light on the most recent period of US direct action in Yemen, the term in office of President Donald Trump - a period in which the Executive has sought to portray itself as reducing US military involvement abroad; but has also significantly reduced both the restrictions imposed on, and transparency for, direct action in Yemen and elsewhere.

For almost two decades, scrutiny of US counterterrorism actions in Yemen has been impeded by secrecy, particularly where civilian harm is reported. A CIA targeted assassination in 2002 - of five Al-Qaeda linked suspects in the USS Cole terror attack - was the only known kinetic intervention by George W. Bush in Yemen during his presidency. However the means of that attack - a targeted precision airstrike involving remotely piloted armed drones, overseen not by the US military but by a covert civilian intelligence agency - ushered in a defining and controversial theme of the 'War on Terror' which persists to today.

Barack Obama expanded that war to substantively include Yemen, as Al-Qaeda in the Arabian Peninsula began plotting and conducting extraterritorial attacks. Strikes were conducted by both US Central Command (CENTCOM) and by the CIA. Yet the Obama administration's first major intervention in Yemen in December 2009 resulted in a mass casualty event, when a cruise missile strike killed an estimated 47 civilians, including at least 22 children and 12 women, during an attack on an alleged AQAP training camp on the edge of Al-Majala village (المعجلة), in Abyan governorate.

The deaths of those civilians - and hundreds more reportedly killed in covert and clandestine US drone strikes in Yemen, Somalia and Pakistan - were never individually admitted by the Obama administration. However during Obama's later presidency, some accountability improvements were seen. In late 2013, a requirement was introduced that strikes should not be conducted in areas outside of active hostilities unless there was a near certainty of no civilian casualties.<sup>2</sup> This led to a marked fall in locally reported civilian deaths in Yemen and elsewhere from US actions.

In July 2016, Presidential Executive Order 13732 required the Director of National Intelligence (DNI) to publish an annual unclassified summary of the number of US strikes conducted against terrorist targets outside areas of active hostilities, "as well as assessments of combatant and non-combatant deaths resulting from those strikes."<sup>3</sup> At the same time, the Obama administration conceded the deaths of between 64 and 116 civilians during US counterterrorism actions in Yemen, Somalia, Pakistan and Libya between 2009 and 2015 - though it failed to identify which specific events or countries those casualties had occurred in.<sup>4</sup>

2 'Remarks by the President at the United States Military Academy Commencement Ceremony', White House, May 28th 2014, archived at <https://obamawhitehouse.archives.gov/the-press-office/2014/05/28/remarks-president-united-states-military-academy-commencement-ceremony>

3 'Executive Order -- United States Policy on Pre- and Post-Strike Measures to Address Civilian Casualties in U.S. Operations Involving the Use of Force', White House, July 1st 2016, archived at <https://obamawhitehouse.archives.gov/the-press-office/2016/07/01/executive-order-united-states-policy-pre-and-post-strike-measures>

4 'FACT SHEET: Executive Order on the US Policy on Pre & Post-Strike Measures to Address Civilian Casualties in the US Operations Involving the Use of Force & the DNI Release of Aggregate Data on Strike Outside Area of Active Hostilities', White House, July 1st 2016, archived at <https://obamawhitehouse.archives.gov/the-press-office/2016/07/01/fact-sheet-executive-order-us-policy-pre-post-strike-measures-address>

While these moves towards greater transparency and public accountability for civilian harm during Obama's second term were generally welcomed by critics, there were also concerns at how durable these changes might prove.<sup>5</sup> So it has transpired with the Trump administration, which can best be characterised overall as having rolled back transparency and accountability for US actions in Yemen to pre-2013 levels.

Just as Obama had done years earlier, Donald Trump began his own Yemen intervention with a disastrous attack that led to significant civilian harm - when at least twenty civilians, including eleven children and six women, died on January 29th 2017 in the village of al Ghayil (الغيل) in Bayda (البيضاء) governorate. A US Navy SEAL also died during the operation.

US Central Command publicly conceded likely civilian harm within 72 hours of the attack, noting in a February 1st press release that "A team designated by the operational task force commander has concluded regrettably that civilian non-combatants were likely killed in the midst of a firefight during a raid in Yemen Jan. 29. Casualties may include children."<sup>6</sup> This marked the first ever public concession of civilian harm in a specific US action in Yemen since 2002. Just twelve days into his presidency, it also represented the high water mark of public accountability for US actions in Yemen under Donald Trump.

The Director of National Intelligence had published his 2016 report into US strikes and reported civilian harm in theatres such as Yemen just hours before Donald Trump's inauguration. This had claimed just one civilian death among 53 counterterrorism strikes in 2016 in areas outside active hostilities. According to Obama's Executive Order 13732, the DNI's annual report into 2017 actions was due no later than May 1st 2018. That report was never published. Yet 2017 had seen record numbers both of US strikes and of locally reported civilian harm in Yemen, as Airwars' new data shows. In the first weeks of the Trump presidency, three provinces of Yemen had in fact been flagged by the US as 'areas of active hostilities', enabling the US military to undertake strikes on their own authority, without undergoing a lengthy process of securing executive approval. This meant that these actions would anyway likely have fallen outside any reporting obligations of the DNI.

Bipartisan efforts by Congress had nevertheless led to another avenue for Yemen accountability - the National Defense Authorization Act 2018 (NDAA 2018). This now required the Pentagon "to submit to the congressional defense committees, by May 1 each year, a report on civilian casualties caused as a result of United States military operations during the preceding year."<sup>7</sup> The first such report covering 2017 conceded that "that there were credible reports of civilian casualties caused by U.S. military actions in Yemen against AQAP and ISIS during 2017."

5 'Obama's Targeted Killing Program and the Need for Transparency', Molly Wooldridge, Human Rights First, July 8th 2016, available at <https://www.humanrightsfirst.org/blog/obama-s-targeted-killing-program-and-need-transparency>

6 'U.S. Central Command statement on Yemen raid', US Central Command, February 1st 2017, available at <https://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/1068267/us-central-command-statement-on-yemen-raid/>

7 'H.R.2810 - National Defense Authorization Act for Fiscal Year 2018', US Congress, available at <https://www.congress.gov/bill/115th-congress/house-bill/2810/text>

On March 6th 2019, President Trump formally stripped from Obama's original executive order the obligation upon the DNI to report annually on civilian harm from US actions in areas outside active hostilities.<sup>8</sup> That revocation referenced both Congress's NDAA 2018 requirement for the Pentagon to submit annual reports on civilian harm from US military actions, as well as NDAA 2019 which had placed further Congressional reporting obligations upon the Pentagon.<sup>9</sup>

These annual reports from the Department of Defense have, then, provided what little accountability there has been for Trump administration military actions in Yemen - though none at all for the parallel and continuing CIA campaign. According to the DoD report covering 2018 and published the following year, "U.S. forces conducted 36 airstrikes against AQAP and ISIS operatives and facilities in Yemen and supported United Arab Emirates and Yemen-led efforts to clear AQAP from Shabwah Governorate. DoD has no credible reports of civilian casualties resulting from U.S. military actions in Yemen during 2018."<sup>10</sup> Yet according to Yemenis themselves, there were 15 alleged US civilian casualty events during that year - 11 of them assessed by Airwars as likely to have killed or injured non combatants.

In its latest report to Congress, DoD declined to reveal how many strikes it had conducted in Yemen during 2019, noting only that "U.S. forces conducted counterterrorism airstrikes in Yemen. The strikes targeted AQAP and ISIS operatives in a continuing effort to disrupt and degrade terrorist threat threats in Yemen." The report also asserted that "USCENTCOM has not receive [sic] any reports from IOs or NGOs regarding potential civilian casualties caused by U.S. military action in Yemen in 2019."<sup>11</sup>

In fact as Airwars demonstrates, there were three locally reported civilian harm claims against US actions in Yemen during 2019. Two of those strikes, both assessed by Airwars to include fair reporting of civilian harm, were declared by CENTCOM. A third reported action was alleged by one source to have involved civilian harm. Central Command told New America that this reported strike was under investigation, despite continuing to publicly deny any US military actions since June 2019.<sup>12</sup> The failure of CENTCOM to itself identify these local casualty claims - despite being the best resourced US military command, and with a mandated obligation to track civilian harm from its own actions - points to the ongoing necessity of external monitoring and investigation of US counterterrorism actions.

8 'Trump Revokes Obama-Era Rule on Disclosing Civilian Casualties From U.S. Airstrikes Outside War Zones', Charlie Savage, New York Times, March 6th 2019, at <https://www.nytimes.com/2019/03/06/us/politics/trump-civilian-casualties-rule-revoked.html>

9 'Executive Order on Revocation of Reporting Requirements', President Donald Trump, the White House, March 6th 2019, at <https://www.whitehouse.gov/presidential-actions/executive-order-revocation-reporting-requirement/>

10 Annual Report on Civilian Casualties in Connection With United States Military Operations', Department of Defense, May 2nd 2019, at <https://media.defense.gov/2019/May/02/2002126767/-1/-1/1/ANNUAL-REPORT-CIVILIAN-CASUALTIES-IN-CONNECTION-WITH-US-MILITARY-OPERATIONS.PDF>

11 'Annual Report on Civilian Casualties In Connection With United States Military Operations in 2019', Department of Defense, May 6th 2020, at <https://media.defense.gov/2020/May/06/2002295555/-1/-1/1/SEC-1057-CIVILIAN-CASUALTIES-MAY-1-2020.PDF>

12 @NewAmericaSP, Twitter, January 3rd 2020, at <https://twitter.com/NewAmericaSP/status/1213130367089233920>



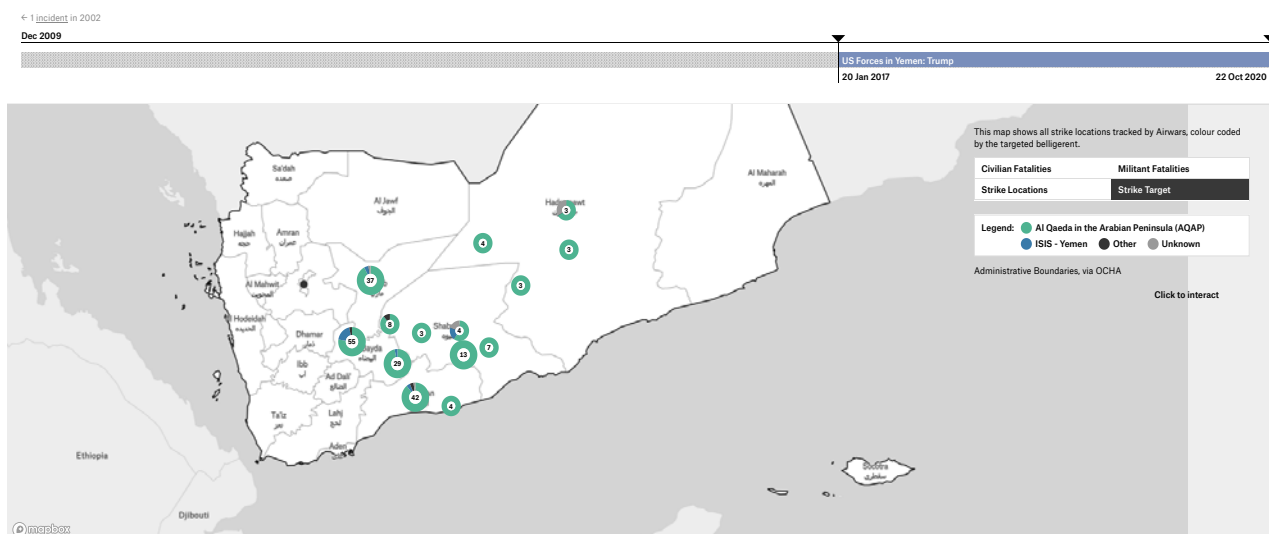
## Holding the US better to account

Beginning in 2011, the Bureau of Investigative Journalism had tracked all English-language media reporting of reported US airstrikes and associated civilian harm in Yemen, providing a critical, transparent and award-winning counter narrative to US claims of no or low civilian harm in its covert drone wars. The long running project was finally retired in Spring 2020.

Airwars has now taken on this important project. Building on the Bureau of Investigative Journalism's extensive original database, Airwars has utilised its own unique Open Source methodology to construct a new dataset, combining rich hyperlocal sources, primarily in Arabic, with international coverage and official US reporting to identify confirmed and possible US actions. Airwars has also permanently preserved the Bureau's own invaluable archive covering US actions in Yemen, Somalia and Pakistan from 2002 to 2019.<sup>13</sup>

Through this revised methodological process, Airwars is able to reveal that there have been at least 230 discrete alleged or confirmed US direct actions conducted in Yemen since Donald Trump's inauguration on January 20th 2017, some 196 of which have been assessed either as likely; or as corresponding to an officially declared US action. Overall, this represents two-thirds more alleged or confirmed US strikes under Trump than the 138 total confirmed or possible US actions in Yemen tracked by the Bureau during Barack Obama's second term.

Airwars has applied in-depth open source research techniques to each of these events, gathering together and publicly archiving all known reports and claims, and resulting in a public database including over 4,000 sources and over 400 unique images, associated with specific events.<sup>14</sup> Furthermore, our in-house geolocation team has enabled us to comprehensively map alleged and confirmed US actions. Of the reported and confirmed strikes tracked by Airwars, over 60 per cent have now been geolocated to at or below the village-level of precision, enabling far more accurate mapping of the parallel US military and CIA campaigns.<sup>15</sup>



New interactive mapping by Airwars enables reported US strikes to be interrogated in several ways.

13 'Bureau of Investigative Journalism - The Covert Drone Wars Archive', Airwars, at <https://airwars.org/archives/bij-drone-war>

14 <https://airwars.org/civilian-casualties/?belligerent=us-forces&country=yemen>

15 <https://airwars.org/conflict/us-forces-in-yemen/>

# The shape of Donald Trump's war in Yemen

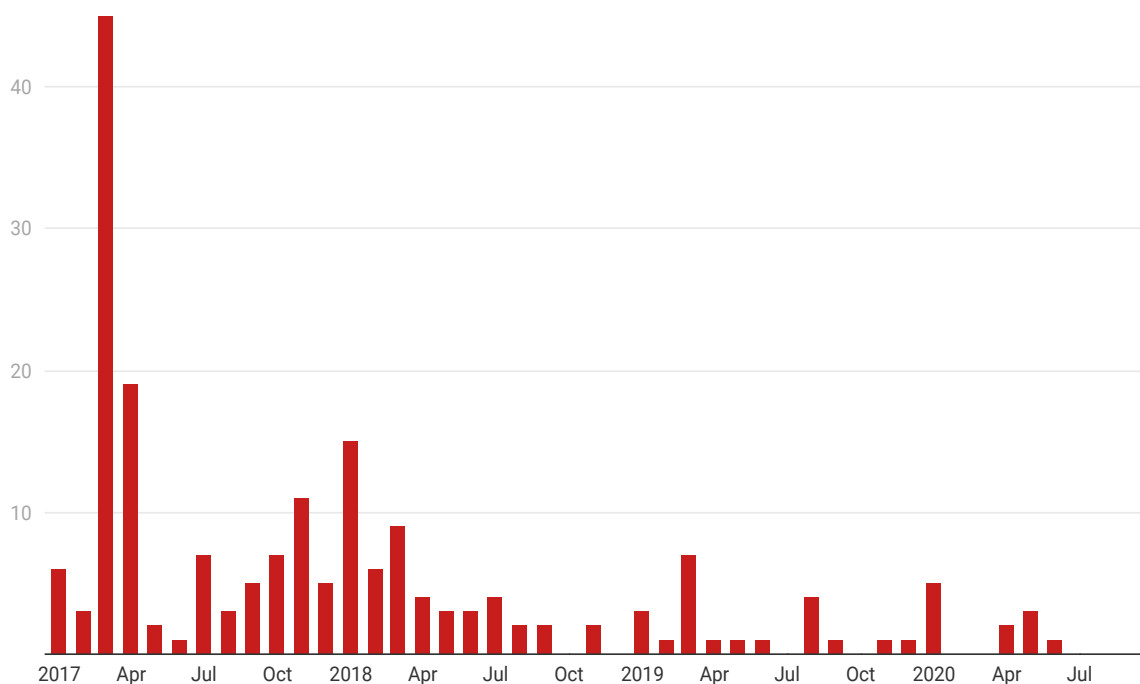
Airwars analysis demonstrates that the first year of the Trump presidency likely featured the most intensive US activity in Yemen of any year since 2009 - but that strike levels have since rapidly declined.

Of a total of 230 discrete events in Yemen tracked by Airwars between January 20th 2017 and October 20th 2020, 196 were assessed to correspond either to officially declared US actions; or included sufficient reporting to be assessed as likely. Just under three quarters (144) of these tracked actions under Donald Trump occurred prior to the end of March 2018.

## Declared and Likely US Actions in Yemen, 2017-2020

Airwars analysis indicates that over a fifth of declared and likely US actions in Yemen during the period occurred in March 2017 alone. After the first year of the Trump presidency, the number of tracked actions declined considerably.

airwars.org



All US actions assessed as "likely" or "declared" tracked by Airwars since January 20th 2017.

Chart: Airwars • Source: Airwars • Created with Datawrapper

Figure (1)

The graphic, showing all likely and declared US actions tracked by Airwars since Donald Trump's inauguration, highlights the broadly observed contours of the recent US campaign in Yemen.

When compared with available data on strikes in Yemen during the Obama administration, it appears that this initial 2017 spike in activity also constituted a distinct departure from Obama-era policy.

Figure (2), below, displays Airwars' 2017-2020 record of all alleged and confirmed US actions in Yemen alongside the Bureau of Investigative Journalism's similar data for the Obama presidency. While this can only constitute an indicative and provisional comparison, given methodological variance between the Bureau of Investigative Journalism and Airwars datasets, the record indicates an immediate and considerable increase in direct military action at the start of the Trump presidency - followed by a sharp decline in actions to levels last seen a decade ago.

## Alleged and Confirmed US Actions in Yemen, 2009-2020

A provisional comparison between the BIJ's record of possible and confirmed US actions under Obama and Airwars new analysis indicates that the first year of the Trump presidency saw significantly higher levels of US activity than observed in prior periods.

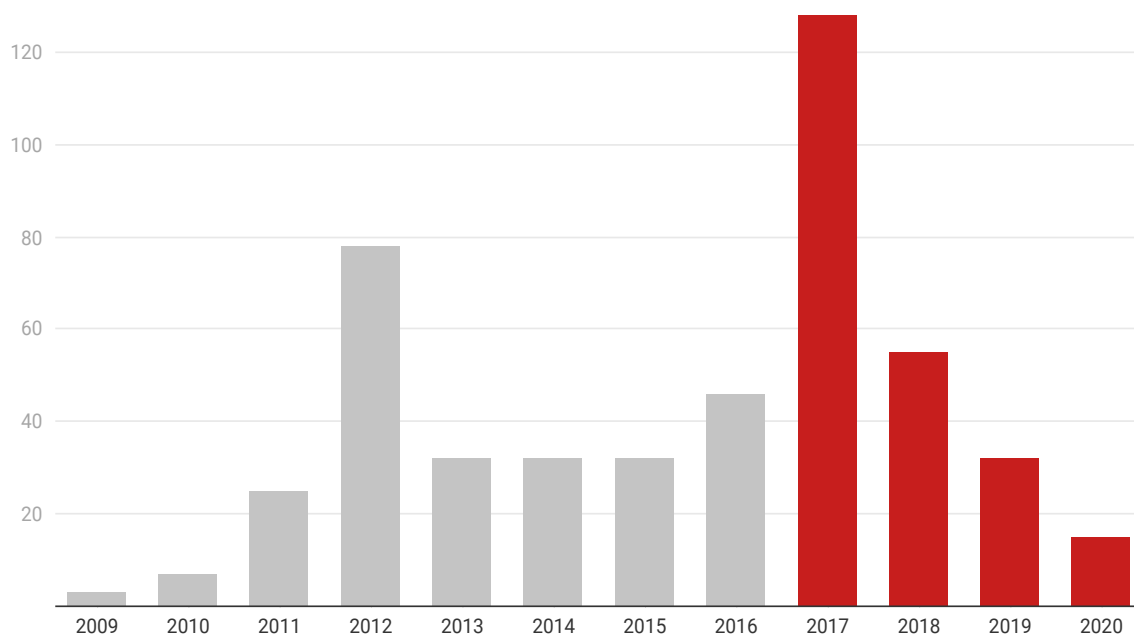


Figure (2)

The chart shows all alleged and declared US actions in Yemen tracked by Airwars from 2017-2020, presented alongside the Bureau of Investigative Journalism's historical record of "possible" and "confirmed" US actions under Obama.

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All alleged or confirmed actions tracked by Airwars since January 20th 2017, alongside the Bureau of Investigative Journalism's record of "possible" and "confirmed" US actions since 2009. Indicative comparison only, given variance in methodology between BIJ and Airwars. 2017 excludes one "confirmed" Obama strike tracked by BIJ.

Chart: Airwars • Source: Airwars/BIJ • Created with Datawrapper

A limited comparison of officially declared US actions supports the understanding that US military strikes in Yemen increased precipitously in the first year of the Trump presidency. A total of 133 actions were declared by US Central Command to have taken place during 2017<sup>16</sup>, compared with 150 "confirmed" strikes tracked by the Bureau under the full presidencies of George W. Bush and Barack Obama between 2002 and 2017. This comparison, it must be noted, does not broadly account for the parallel CIA campaign in Yemen, given that strikes conducted by that agency are only very rarely officially confirmed, either intentionally or accidentally.

Airwars data, therefore, indicates that 2017 was a unique period of intensive US action in Yemen within the period of the Trump presidency, but also likely constituted a considerable increase in strike numbers compared to those seen under Obama. What drove this? There is some evidence to suggest that Trump may have inherited an already expanding campaign from Obama, leading towards the increased activity observed in 2017. "Confirmed" US actions tracked by the Bureau in 2016, for example, were by now 110 per cent greater than those tracked in 2014. According to the Bureau's own data, 2016 had in fact marked the highest number of "confirmed" US strikes in Yemen under Obama.

16 This includes 131 airstrikes as well as two confirmed US ground operations. 'US conducted a record 131 airstrikes in Yemen last year', Bill Roggio and Alexandra Gutowski, Long War Journal, February 7th 2018, at <https://www.longwarjournal.org/archives/2018/02/us-conducted-a-record-131-airstrikes-in-yemen-last-year.php>

This followed the ongoing resurgence of militant jihadist groups such as Al-Qaeda in the Arabian Peninsula (AQAP) and the local emergence of so-called Islamic State, following the security and governance vacuum that emerged as a result of the outbreak of civil war in Yemen during 2014 and the Saudi-led coalition intervention in Yemen the following year. The beginning of that conflict saw AQAP grow further in size by staging jailbreaks; seizing military hardware and conducting bank robberies. From 2015 to 2016, AQAP was also able to hold considerable territory in and around the port city of Mukalla. By October 2016, analyst Michael Horton wrote in *Terrorism Monitor* that the “future for AQAP has rarely looked brighter”, owing to their exploitation of fractious circumstances in Yemen at the time, and that it was “an organization that is larger, more formidable and better armed than it has ever been”.<sup>17</sup> It is, then, possible that the observed increase had less to do with the incoming Trump administration, and more with ongoing US responses to AQAP’s growing capacity in Yemen.

The potential dynamics of an inherited campaign, however, may be insufficient to account for the observed scale of the increase. Airwars data shows that the initial period of Trump’s presidency saw an immediately higher tempo of US action, rather than the more gradual increase in activity one might expect to see if US counterterrorism efforts were simply responding to changing circumstances on the ground. It is instead likely that the break in policy indicated by the provisional Obama-Trump comparison owes more to a considerable loosening of the rules of engagement for US counterterrorism operations that took place in early 2017.

In the first weeks of the Trump presidency, three provinces of Yemen were declared “areas of active hostilities”, enabling the US military to undertake strikes, on their own authority, without undergoing a lengthy process of securing executive approval.<sup>18</sup> Previously a drone strike would only be authorised under four conditions, as summarised by *The Economist*. Firstly, strikes outside of war zones could only be conducted if there was near certainty that civilians would not be harmed. Secondly, that the target had been identified with near certainty. Thirdly, the strike had to occur within the parameters of a clear chain-of-command accountability - thus signalling the shift of drone strike responsibility away from the CIA to CENTCOM. Finally, any strike had to advance American strategic interests.<sup>19</sup> The loosening of these rules meant that the US military could now move more swiftly to authorise and conduct drone strikes, with fewer safeguards against the possibility of civilian casualties.<sup>20</sup>

Luke Hartig, previously Senior Director for Counterterrorism at the National Security Council (NSC) during the Obama administration, told Airwars that the observed 2017 increase in intensity - in particular the Yakla raid - may have derived from a desire to increase operations amongst military staff, combined with the more permissive attitude of the incoming administration. “Clearly, and this had been reported, before Trump took office there was a desire to do more from the military, and they put forward a general concept of operations to allow for a greater degree of advice and assistance to partners on the ground... It seems what happened was that the Trump administration was keen to take the gloves off, as it were, to be what they perceived was tougher on terrorism, and this was one of the first ready-made concepts of operation available”.<sup>21</sup>

17 ‘AQAP in Southern Yemen: Learning, Adapting and Growing’, Michael Horton, *Terrorism Monitor* Volume: 14 Issue: 20, October 14th 2016, at <https://jamestown.org/program/aqap-southern-yemen-learning-adapting-growing/>

18 ‘Accelerating Yemen campaign, U.S. conducts flurry of strikes targeting al-Qaeda’, Missy Ryan, Thomas Gibbons-Neff and Ali al-Mujahed, *The Washington Post*, March 2nd 2017, at [https://www.washingtonpost.com/world/national-security/accelerating-yemen-campaign-us-conducts-flurry-of-strikes-targeting-al-qaeda/2017/03/02/8a9af8cc-ff91-11e6-99b4-9e613afeb09f\\_story.html?utm\\_term=.267cc3908794](https://www.washingtonpost.com/world/national-security/accelerating-yemen-campaign-us-conducts-flurry-of-strikes-targeting-al-qaeda/2017/03/02/8a9af8cc-ff91-11e6-99b4-9e613afeb09f_story.html?utm_term=.267cc3908794)

19 ‘The president is making it easier to order lethal drone strikes’, *The Economist*, March 18th 2017, at <https://www.economist.com/usa/2017/03/18/the-president-is-making-it-easier-to-order-lethal-drone-strikes>

20 ‘Trump Gives Military New Freedom. But With That Comes Danger’, Helene Cooper, *The New York Times*, April 5th 2017, at <https://www.nytimes.com/2017/04/05/us/politics/rules-of-engagement-military-force-mattis.html>

21 Interview with Airwars researcher, October 20th 2020

This initial dismantling of Obama-era rules of engagement may account for the immediately observed increase in strike activity during early 2017. Replacement strike guidance, reportedly not agreed until September 2017, reintroduced the requirement of “near certainty” of no civilian harm, but also expanded legitimate targets to include non-High Value Target strikes against rank-and-file militants; and reportedly relaxed the requirement for high-level oversight of strikes and raids.<sup>22</sup>

One (perhaps unexpected) outcome of the designation of parts of Yemen as areas of active hostilities was to ensure at least some level of accountability for civilian harm from US military actions. In March 2019, President Trump rescinded a recently-introduced obligation upon the Director of National Intelligence to report annually on US strikes and associated civilian harm in areas outside active hostilities.<sup>23</sup> However, the National Defense Authorisation Acts of 2018 and 2019, each passed with bipartisan support, separately required the Pentagon to report annually to Congress on civilian harm in areas of active hostility. Yemen has therefore been included in the three annual reports published by DoD so far, covering the years 2017<sup>24</sup>, 2018<sup>25</sup> and 2019<sup>26</sup> - though with civilian harm conceded only for 2017.

**Despite the initial intensity of US actions in Yemen under Trump, this did not persist beyond the first year of the presidential term.**

The precipitous drop in declared or likely US actions in Yemen since early 2018, compared with the 2017 period, is highlighted in Figure (1) above. Though 2018 strikes still accounted for a quarter of Trump actions tracked by Airwars, that annual tally still fell below the total observed in March 2017 alone.

Only 21 declared or likely US actions in Yemen under President Trump took place in 2019, ten per cent of the total for his administration tracked by Airwars. And just 11 declared or likely US actions (five per cent) were monitored from January 1st to October 20th 2020 - marking the lowest recent levels of US intervention in Yemen since 2010. This sharp decline is discussed later in the report.

22 ‘Trump Poised to Drop Some Limits on Drone Strikes and Commando Raids’, Charlie Savage and Eric Schmitt, New York Times, September 21st 2017, at <https://www.nytimes.com/2017/09/21/us/politics/trump-drone-strikes-commando-raids-rules.html>

23 ‘Trump ends requirement that CIA report drone strike casualties’, France 24, March 7th 2019, available at <https://www.france24.com/en/20190307-trump-ends-requirement-cia-report-drone-strike-casualties>

24 ‘Annual Report on Civilian Casualties in Connection With United States Military Operations’, Department of Defense, May 22nd 2018, at <https://fas.org/man/eprint/civcas2018.pdf>

25 ‘Annual Report on Civilian Casualties in Connection With United States Military Operations’, Department of Defense, May 2nd 2019, at <https://media.defense.gov/2019/May/02/2002126767/-1/-1/1/ANNUAL-REPORT-CIVILIAN-CASUALTIES-IN-CONNECTION-WITH-US-MILITARY-OPERATIONS.PDF>

26 ‘Annual Report on Civilian Casualties In Connection With United States Military Operations in 2019’, Department of Defense, May 6th 2020, at <https://media.defense.gov/2020/May/06/2002295555/-1/-1/1/SEC-1057-CIVILIAN-CASUALTIES-MAY-1-2020.PDF>



# The civilian cost of recent US actions in Yemen

In total, to October 20th 2020 Airwars had tracked a total of 41 alleged or confirmed US actions in Yemen during the Trump administration (2017-2020) that were reported to have resulted in civilian harm, drawn from our unique combination of hyperlocal and global all-source reporting.

Up to 194 non combatant deaths were locally claimed from these 41 actions. Airwars presently assesses that at least 86 civilians likely died based on available public evidence, including at least 28 children and 13 women, in some 25 declared or claimed US actions. At least 63 of those reported civilian deaths resulted from twenty actions that US Central Command has itself publicly declared. At least 23 more civilians likely died in five actions in Yemen which were possibly, or known to have been, conducted either by the CIA or in undeclared clandestine US military actions.

The year 2017 marked the worst year for reported civilian fatalities in Yemen from US actions since concerted military and CIA strikes began in 2009. However, civilian casualty claims from US actions in Yemen are presently at relatively low levels.

The US military in the form of US Central Command has conceded a minimum of four and a maximum of twelve civilian deaths from its actions in Yemen during the Trump years, all from a single event in late January 2017. For that same incident, the public record indicates that at least 20 and as many as 56 non combatants in fact died.<sup>27</sup> This casualty admission by CENTCOM, just twelve days into the Trump presidency, represented the high water mark of US accountability for civilian harm in Yemen during Donald Trump's time in office.

## Minimum Reported Civilian Non-Combatant Deaths, 2017-2020

In total, Airwars has assessed 25 distinct US actions to have associated confirmed or fair allegations of civilian harm, resulting in a minimum of 86 alleged civilian deaths. Since January 21st 2019, Airwars has tracked no allegations of civilian harm that were assessed as "fair" under the Airwars methodology.

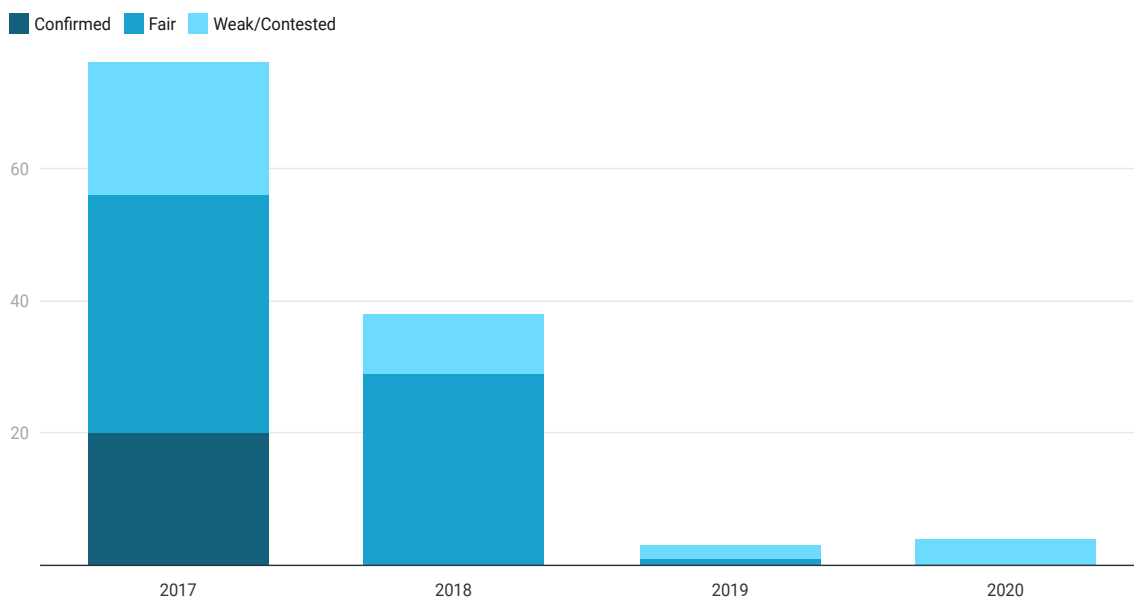


Figure (3)

The chart shows the annualised minimum number of reported civilian deaths tracked by Airwars since January 20th 2017, broken down by assessed level of reporting. Number of confirmed fatalities reflects Airwars' event tally rather than CENTCOM's.

Minimum number of reported civilian deaths deriving from alleged US actions, separated by assessed level of reporting, since January 20th 2017. In the single US-confirmed case of civilian harm, Airwars assessed that a minimum of 20 civilian were killed, though the US itself officially conceded only 4 to 12 civilian deaths.

Chart: Airwars • Source: Airwars • Created with Datawrapper

27 Airwars event USYEMTr006-C, at <https://airwars.org/civilian-casualties/usyemtr006-c-january-29-2017/>

**Civilian harm in Yemen owing to alleged or confirmed US actions, as tracked by Airwars, primarily occurred during the first two years of the Trump presidency, as figure (3), above, indicates.**

Some 93 per cent of the minimum likely civilian deaths (80 fatalities) tracked by Airwars arose from reported US actions in Yemen between January 2017 and April 2018; and 56 of the 86 minimum civilian deaths estimated by Airwars occurred in 2017 alone.

Since January 21st 2019, Airwars has tracked no new allegations of civilian harm resulting from US actions that have been assessed by it as fair based on local reporting. Broadly, as one might expect, periods of increased declared and alleged US activity usually coincided with periods of greater alleged civilian harm.

Alleged and declared US actions in the first year of the Trump presidency were considerably more deadly to civilians than prior years, provisional comparison with the Bureau of Investigative Journalism's own data indicates. For 2017, across 21 reported or declared US actions, Airwars monitored allegations of at least 76 civilian fatalities, the same minimum number of civilians tracked by the Bureau as reportedly having been killed in the prior five years combined. Again, this can only constitute an indicative comparison given methodological variance between the Bureau and Airwars datasets.

## Minimum Alleged and Confirmed Civilian Deaths in Yemen, 2009-2020

A provisional comparison with the BIJ's record of minimum possible and confirmed civilian deaths resulting from US actions under Obama and Airwars' new analysis indicates that the first year of the Trump presidency was considerably more deadly to non-combatants than prior periods.

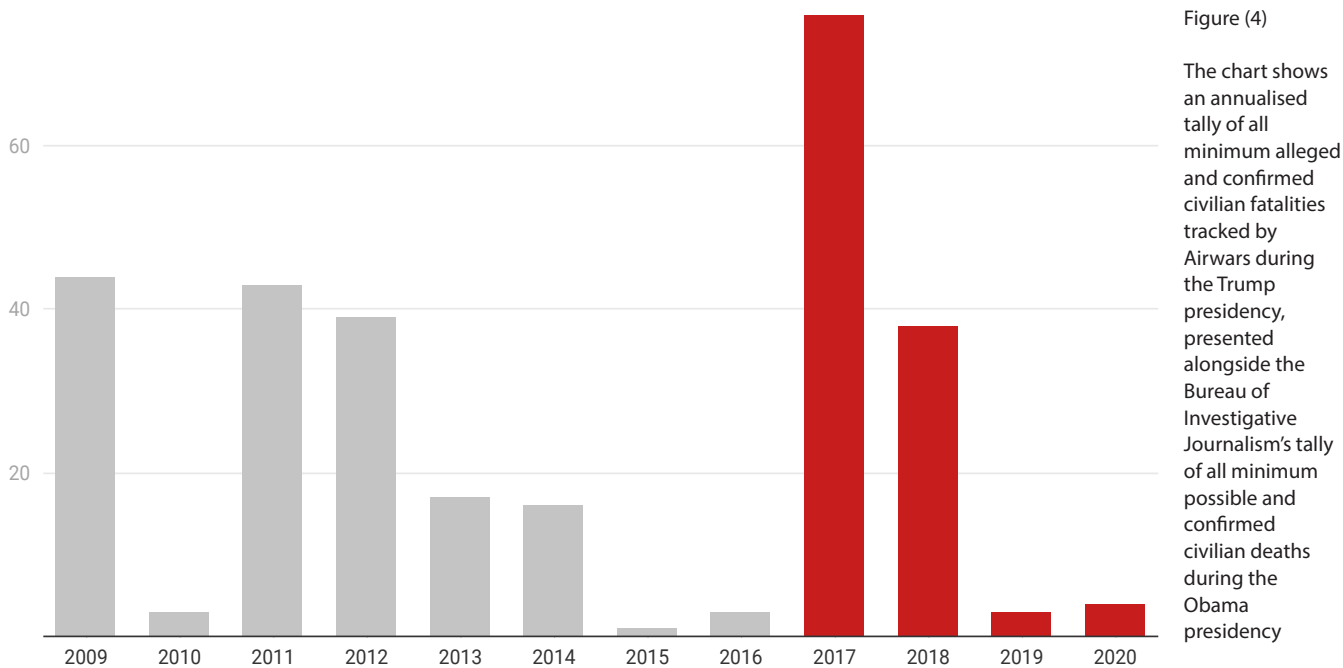


Figure (4)

The chart shows an annualised tally of all minimum alleged and confirmed civilian fatalities tracked by Airwars during the Trump presidency, presented alongside the Bureau of Investigative Journalism's tally of all minimum possible and confirmed civilian deaths during the Obama presidency

*All alleged or confirmed minimum civilian deaths tracked by Airwars since January 20th 2017, alongside the Bureau of Investigative Journalism's record of minimum "possible" and "confirmed" civilian deaths owing to US actions since 2009. Indicative comparison only, given variance in methodology between BIJ and Airwars.*

Chart: Airwars • Source: Airwars/BIJ • Created with Datawrapper

**Airwars data also demonstrates the considerable civilian harm risks of US ground actions in Yemen. Alleged or confirmed US ground actions, though accounting only for between 1.5 and 3 per cent of tracked US actions assessed as declared or likely, were responsible for at least 40 per cent of the minimum confirmed or fair civilian harm tracked by Airwars.**

Two cases of declared US ground actions - a January 2017 raid in Yakla (يكلّا) in Bayda (البيضاء); and a May 2017 raid in al-Adhlan (العذلان) in Marib (مارب) - resulted in at least 25 civilian deaths, Airwars conservatively estimates. An additional undeclared but widely reported March 2017 US ground raid, in Wadi Yashbum (وادي يشبم) in Shabwa Governorate (شبوّة), resulted in the alleged deaths of at least additional 10 civilians.

Civilian harm in these cases appeared to derive primarily from the use of airpower when ground forces came under fire, again highlighting the documented tendency of close air support for “Troops In Contact” to be particularly deadly for non-combatants.<sup>28</sup> In Yakla (يكلّا), an anonymous local resident told Reuters that “gunmen opened fire at the U.S. soldiers who left the area, and the helicopters bombed the gunmen and a number of homes and led to a large number of casualties.<sup>29</sup> Eight-year-old Nawar al-Awlaki - the young daughter of US citizen and AQAP supporter Anwar al Awlaki, who had himself been killed by the CIA several years earlier - reportedly died as a result of helicopter gunfire while hiding in a house. Later reporting suggested that 25 US military aircraft were deployed in various capacities during the raid.<sup>30</sup>

During the al-Adhlan (العذلان) raid in May 2017, local residents asserted that helicopters had also fired on and killed people as they fled. One resident later told The Intercept that as helicopters fired on buildings, “my little brother Abdullah ran for his life with the other women and children. They killed him as he was running”.<sup>31</sup> It was confirmed by CENTCOM that an AC-130 gunship had also participated in that raid. One local-language news source claimed that almost 60 missiles fell on the village during the event.<sup>32</sup>

The recorded lethality for civilians of US ground actions in Yemen since 2017 has contrasted with their apparent inefficacy. Though CENTCOM publicly claimed that the January 2017 Yakla (يكلّا) raid was a “site exploitation mission”, intended to extract valuable intelligence, later reporting by NBC asserted that the mission had been to “kill-or-capture” AQAP leadership,<sup>33</sup> possibly including AQAP leader Qassim al-Raymi. US Central Command initially reported that fourteen AQAP militants were killed during the raid, including “two longstanding AQAP operational planners and weapons experts”, Sultan al-Dhahab and Abd-al-Ra’uf al-Dhahab.<sup>34</sup> However, ongoing reporting cast considerable doubt on their ties to the extremist group. At least eleven named children reportedly died in the Yakla (يكلّا) raid.

28 See for example “Troops in Contact”: Airstrikes and Civilian Deaths in Afghanistan’, Human Rights Watch, September 2008, at [https://www.hrw.org/sites/default/files/reports/afghanistan0908web\\_0.pdf](https://www.hrw.org/sites/default/files/reports/afghanistan0908web_0.pdf)

29 ‘Commando dies in U.S. raid in Yemen, first military op OK’d by Trump’, Mohammed Ghobari and Phil Stewart, Reuters, January 29th 2017, at <https://www.reuters.com/article/us-usa-yemen-qaeda-idUSKBN15D08J>

30 ‘MC-130 Crew Receives Distinguished Flying Crosses for Role in 2017 Yemen Operation’, Brian W. Everstine, Air Force Magazine, January 23rd 2019, at <https://www.airforcemag.com/mc-130-crew-receives-distinguished-flying-crosses-for-role-in-2017-yemen-operation/>

31 ‘Villagers Say Yemeni Child Was Shot As He Tried To Flee Navy Seal Raid’, Iona Craig, The Intercept, May 28th 2017, at <https://theintercept.com/2017/05/28/villagers-say-yemeni-child-was-shot-as-he-tried-to-flee-navy-seal-raid/>; ‘Pentagon Spokesman Describes U.S. Raid in Yemen’, Terri Moon Cronk, US Central Command, May 23rd 2017, at <https://www.centcom.mil/MEDIA/NEWS-ARTICLES/News-Article-View/Article/1191797/pentagon-spokesman-describes-us-raid-in-yemen/>

32 ‘20 قوروش دعویت «لذاوعل» و... زوجو لفظ مهنی بنی ندم 5 لشیقی برام لارن | ریرقیّت’ Abdullah Al-Sharif, Al-Arabi, May 23rd 2017, at <https://www.al-arabi.com/Movement/12942/قوروش%20دعویت%20لذاوعل%20زوجو%20لفظ%20مهنی%20بنی%20ندم%20لشیقی%20برام%20لارن>

33 ‘How the Trump Team’s First Military Raid in Yemen Went Wrong’, Cynthia McFadden, William M. Arkin and Tim Uehlinger, NBC News, October 1st 2017, at <https://www.nbcnews.com/news/us-news/how-trump-team-s-first-military-raid-went-wrong-n806246>

34 ‘U.S. Central Command releases video retrieved during weekend raid in Yemen’, US Central Command, February 3rd 2017, at <http://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/1070450/us-central-command-releases-video-retrieved-during-weekend-raid-in-yemen/>



A reported child casualty of the January 29th 2017 US raid on al Ghayil (Image via @doamuslims)

Since the May 2017 action, there have been no declared or well-reported allegations of US ground raids in Yemen, possibly as a result of their poor recent track record and high reported civilian death toll.

**Airwars' new dataset and mapping also exposes the degree to which small Yemeni communities have borne the brunt of the parallel CENTCOM and CIA campaigns in Yemen.**

The area north of Rada'a (رداع) city in Bayda governorate (البيضاء), roughly 25km in radius and including the Qayfa (قيفة), Wald Rabi (ولد الربيع), and Quraisha (القريشية) districts, has been the site of almost a fifth of the total likely and declared US actions during the Trump presidency, Airwars research shows.

Between them, these actions reportedly killed at least 126 persons alleged to be directly participating in hostilities. The weight of US actions in the area is perhaps unsurprising, given the long-term presence of both AQAP and IS-Y in the near region. It was here for example that so-called Islamic State established training camps in 2017, while Al-Qaeda in Yemen has maintained complex relations with tribal networks in the area.<sup>35</sup>

Yet the civilian death toll in this region has also been considerable. US actions in the northern vicinity of Rada'a (رداع) city accounted for 44 per cent of the minimum fair and confirmed civilian deaths (387) tracked by Airwars. All but one were reportedly killed by US actions in the first year of the Trump presidency alone.

<sup>35</sup> See for example 'Our Common Enemy: Ambiguous Ties Between al-Qaeda and Yemen's Tribes', Nadwa Al-Dawsari, Carnegie Middle East Center, January 11th 2018, at <https://carnegie-mec.org/2018/01/11/our-common-enemy-ambiguous-ties-between-al-qaeda-and-yemen-s-tribes-pub-75225>



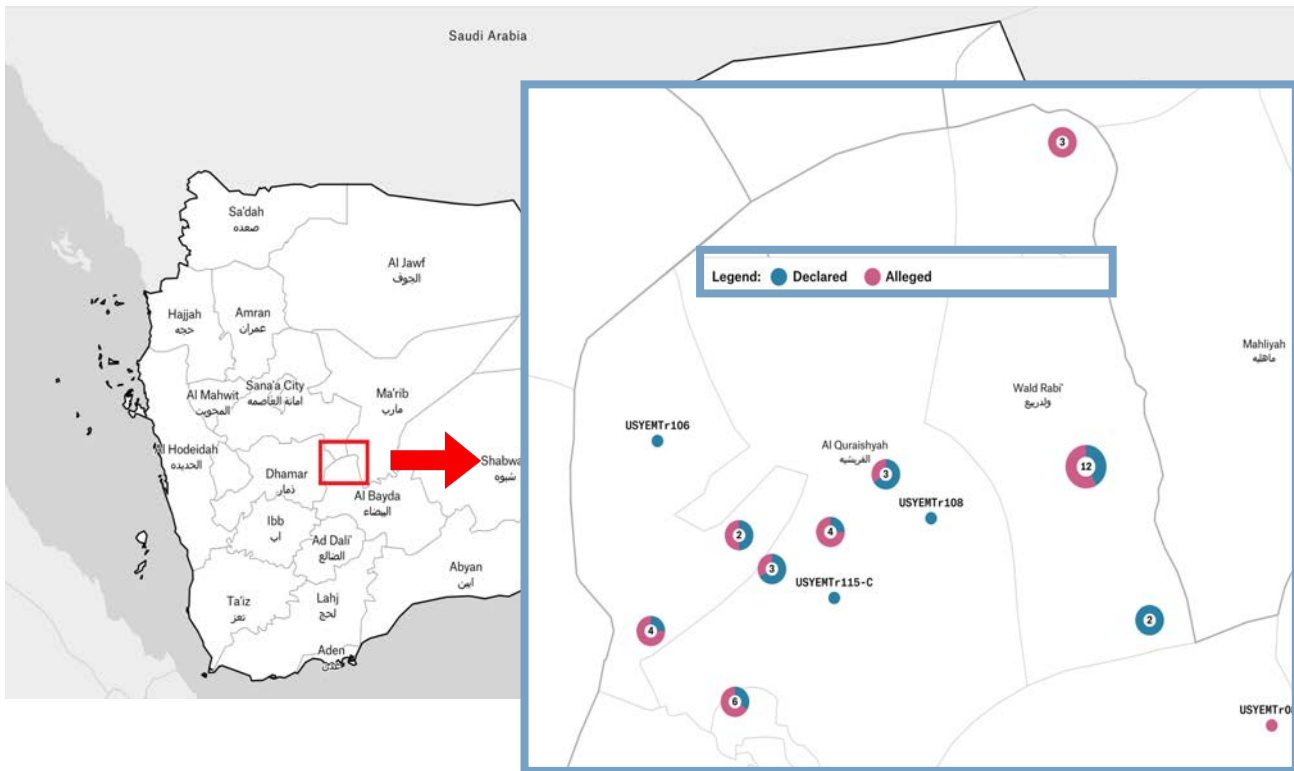


Figure (5)

The mapping shows all declared and alleged US actions tracked by Airwars 2017-2020 that were geolocated to the area north of Rada'a.

Of the alleged civilian deaths in the area, at least seventeen were reportedly children, nine were said by local sources to be women, and nine were described as adult male civilians. Twelve declared or likely US actions tracked by Airwars reportedly took place in the village cluster of Yakla (يكل) alone, including the January 2017 ground raid, which between them account for the fair or confirmed reported deaths of at least 25 civilians.

Other areas also witnessed mass civilian casualties resulting from alleged US actions. During the first week of March 2017, US actions targeted areas in the Shabwa (شبو) Governorate, specifically the Wadi Yashbum (وادي يشبم) area in the Saeed (صعيد) district. The night of March 2nd-3rd in Wadi Yashbum (وادي يشبم) saw some of the most intense periods of reported US airstrikes in the country. According to multiple sources, between 10 and 30 US airstrikes hit Wadi Yashbum from late on March 2nd until dawn on March 3rd. The principal target of the strikes appears to have been Saad Atef al-Ateeqi al-Awlaki, a senior AQAP leader in Shabwa. However according to local and international media outlets, a number of civilians, including women and children were killed and wounded. Local reports specified that members of the Atef family were killed during the overnight operation in Wadi Yashbum (وادي يشبم); as well as members of other families such as the Belaid al-Salmis. Based on local sources, Airwars estimates that between 10 and 14 civilians were killed in the attacks.

Local testimonies often paint a vivid picture of destruction as a result of US airstrikes. Residents told Almasdar Online that the overnight airstrikes on Wadi Yashbum (وادي يشبم) had "destroyed three houses, a block factory, a gas station, and a weapons depot". An anonymous local resident also described to Middle East Eye the fear felt locally as a result of the strikes, saying that a number of families had fled the area.<sup>36</sup> Other reports from local Facebook sources such as Ween Al Enfigar Alaam also appeared to corroborate this, claiming that neighbouring villages had been abandoned during the attack, with residents fleeing in "severe terror".<sup>37</sup>

<sup>36</sup> 'US troops raid Yemen villages in hunt for al-Qaeda leader', MEE, March 5th 2017, <https://www.middleeasteye.net/news/us-troops-raid-yemen-villages-hunt-al-qaeda-leader>

<sup>37</sup> Ween Al Enfigar Alaam, Facebook, March 2nd 2020 at <https://www.facebook.com/WeenAlEnfigarAlaan/posts/1694528457507271>



## CENTCOM and civilian harm accountability

Despite a considerable number of reported civilian harm events from US actions in Yemen under Donald Trump, the US has only officially admitted to between four and twelve of the minimum 86 civilian deaths conservatively estimated by Airwars. Those admitted fatalities all occurred in a single confirmed US military ground and air action, the Yakla (يكل) raid, just nine days into the presidency. Airwars' own all-source assessment, which references several on the ground studies by investigators as well as hyperlocal reports from the time, resulted in a minimum assessed civilian death toll of 20 at Yakla (يكل), significantly greater than that admitted by the US military.

Since February 2017, both the Department of Defense and CENTCOM have consistently denied civilian casualties from US military actions in Yemen. In its 2018 and 2019 annual civilian casualty reports to Congress, issued in April 2019 and May 2020 respectively, the DoD stated that it had assessed "no credible reports of civilian casualties resulting from US military actions in Yemen" for the years in question.

Yet in the two years covered by those DoD reports to Congress, Airwars itself has tracked no less than thirteen alleged or confirmed US actions with sufficient all-source reporting of civilian harm to be assessed as likely having resulted in at least 30 civilian deaths. All but one of the actions were publicly declared by the US military.

The latter DoD report to Congress report also asserted that the US military had not received "any reports from IOs or NGOs regarding potential civilian casualties caused by U.S. military action in Yemen in 2019", despite the considerable work done by Yemeni and global human rights organisations, such as Mwatana for Human Rights, in drawing attention to credible reporting of civilian harm.

In response to the most recent DoD report, Mwatana pointed to a January 21st 2019 US drone strike which reportedly killed Saleh Ahmed Mohammed al-Qaisi, an elderly housepainter or construction worker, in Bayda (البيضاء). US Central Command told New America that a strike had been conducted in Bayda (البيضاء) on that day. Since there were no other known reports of a US action in Yemen on that day, Airwars has surmised that the strike in Ja'ar (جعار) was this declared action.<sup>38</sup>

Why then is CENTCOM failing both to identify - and if necessary concede - civilian harm from its own actions in Yemen?

As the largest US military command, CENTCOM is simultaneously focused on several conflict theatres at present. Civilian harm assessments for Afghanistan, and for Iraq and Syria, have been devolved by CENTCOM to their relevant combatant commands. More than 2,000 event assessments relating to alleged civilian harm have for example been conducted by Combined Joint Task Force - Inherent Resolve, leading to the admission of almost 1,400 non combatant deaths in Iraq and Syria since 2014. A majority of those CJTF-OIR assessments - and a majority of recently conceded civilian deaths - were triggered by Airwars referrals, resulting in turn from its identification of local-language reporting.

For Yemen, allegations of civilian harm from US actions are still assessed by CENTCOM itself. However senior officials conceded to Airwars in mid 2020 that there is at present no formally constituted civilian casualty assessment cell at Tampa, and that civilian casualty claims for Yemen are reviewed on an ad hoc basis.

38 'U.S. Fails to Acknowledge Killing Yemeni Civilians', Abdulrasheed al-Faqih and Kristine Beckerle, Mwatana For Human Rights, May 18th 2020, at <https://mwatana.org/en/us-fails-to-acknowledge-killing-yemeni-civilians/>

Ahead of publication of this report, Airwars presented CENTCOM on August 24th 2020 with its complete findings on recently claimed civilian harm from US actions in Yemen. This included more than 1,000 pages of archived source materials, in both English and Arabic, relating to all 41 declared and alleged US actions which had led to local claims of civilian harm in Yemen under President Trump to that date. Detailed geolocational findings were also presented. Despite several assurances that officials would "provide you with the results of CENTCOM's findings regarding these claims as soon as possible", no response to those 41 Yemen allegations had been made by Tampa as of October 20th 2020.

The failure of CENTCOM properly to respond to such good faith engagements by external NGOs is troubling - particularly given the command's own apparent inability to track recent public claims of civilian harm from US actions in Yemen.

In a Department of Defense Memorandum issued in February 2020, as part of an ongoing Pentagon review of civilian harm mitigation policies, Deputy Under Secretary of Defense Dr James Anderson noted that "It is unrealistic to expect that civilian harm can be entirely eliminated in armed conflict. Nonetheless, we must anticipate its likelihood in advance of conflict and appropriately support efforts to reduce such harm, acknowledge responsibility for U.S. actions, and continuously learn from our experience so that further improvements can be identified and implemented."<sup>39</sup>

The present failure of CENTCOM adequately to identify, review and where necessary acknowledge civilian harm claims from its actions in Yemen appears to be markedly at odds with current Pentagon policies, and should be addressed as a matter of urgency.

39 'Memorandum: Development of a DoD Instruction on Minimizing and Responding to Civilian Harm in Military Operations', Deputy Under Secretary of Defense James H. Anderson, Department of Defense, February 20th 2020, at <https://media.defense.gov/2020/Feb/20/2002252367/-1/-1/1/DEVELOPMENT-OF-A-DOD-INSTRUCTION-ON-MINIMIZING-AND-RESPONDING-TO-CIVILIAN-HARM-IN-MILITARY-OPERATIONS.PDF>

# An effective counterterrorism approach?

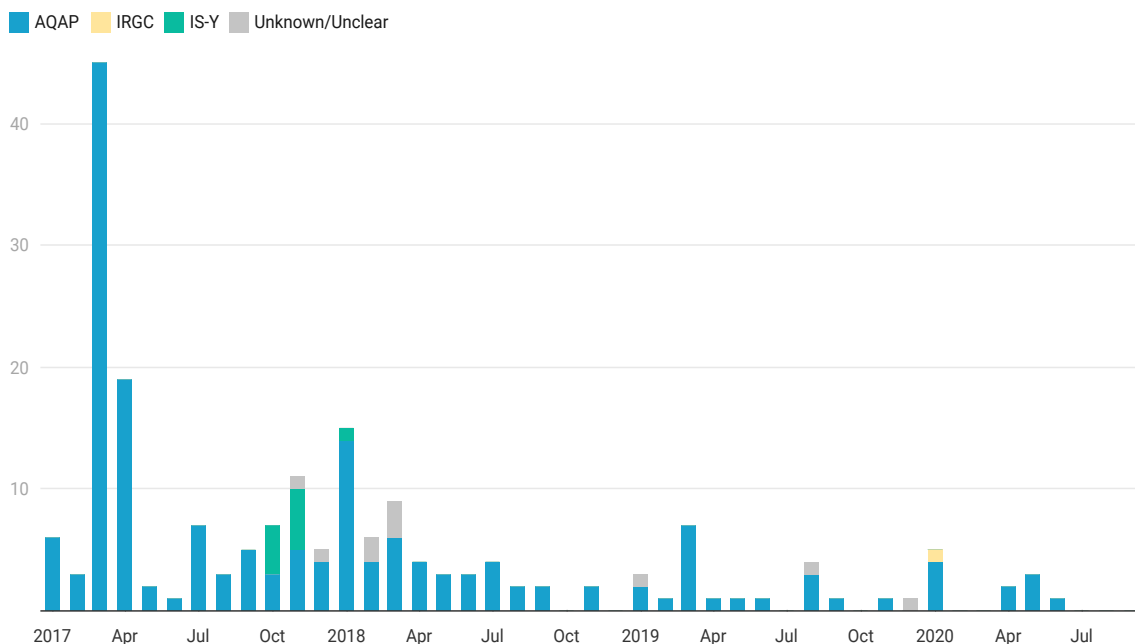
Since the inauguration of President Trump, Airwars has tracked a minimum total of 460 persons described as directly participating in hostilities who were reportedly killed by alleged or confirmed US actions in Yemen. This category includes militants that were members of non-state groups such as Al-Qaeda in the Arabian Peninsula and Islamic State - Yemen, as well as other militia forces. Of these, some 400 were reportedly killed in the course of US actions assessed by Airwars to be declared or likely.

**Overall, alleged and confirmed US actions during the Trump administration were known or suspected to have overwhelmingly targeted Al-Qaeda in the Arabian Peninsula (AQAP).**

Of the 196 declared or likely US actions in Yemen tracked by Airwars during the Trump administration (2017-2020), 175 were known or suspected to have targeted AQAP - that is, just under 90 per cent of the total.<sup>40</sup> Comparatively, just over five per cent of declared and likely US actions were believed to have targeted so-called Islamic State - Yemen.

## Declared and likely US actions 2017-2020, by known or suspected target

Just over 5% of total declared and likely US actions were known or suspected to have targeted IS-Yemen, all of which occurred from October 2017 to January 2018. In October and November 2017, half of all tracked likely or suspected actions targeted the group, reportedly killing at least 68 persons directly participating in hostilities.



Likely and declared US actions tracked by Airwars since January 20th 2017, broken down by known or suspected primary targeted belligerent.

Chart: Airwars • Source: Airwars • Created with Datawrapper

Figure (6)

The chart shows monthly declared and likely US actions tracked by Airwars since January 20th 2017, broken down by known or suspected target

<sup>40</sup> Known or suspected targets are derived from US declarations of the target of a particular strike, as well as all-source reporting of the affiliation of those persons, directly participating in hostilities, who were allegedly killed in a strike. It remains possible that the known or suspected target of any confirmed or alleged action may differ from the actual affiliation of those killed.

**The small subset of strikes that were known or suspected to have targeted Islamic State in Yemen took place almost entirely in October and November 2017, representing a short but substantial reorientation of US actions.**

Airwars data shows that, of the 18 declared or likely US actions that took place in these months, nine were reported by CENTCOM to have targeted IS-Y militants. Furthermore, all of the actions tracked by Airwars that were known or suspected to have targeted IS-Y took place in the relatively small area of northern Bayda (البيضاء) described previously in this report.

This period of reorientation appears to have taken place in response to strategic developments within IS-Y in the latter months of 2017. Announcing the first two US actions known to have targeted the terror group - a series of airstrikes which reportedly destroyed two alleged training camps on October 16th 2017 - US Central Command stated that the actions were intended to “degrade the groups’ ability to coordinate external terror attacks and limit their ability to hold territory”, and had the effect of “disrupting the organization’s attempts to train new fighters”.<sup>41</sup>

Dr Elisabeth Kendall has argued that IS-Y had been experiencing a significant decline through 2016 and 2017, leading the dwindling group to retreat principally to the Qayfa (قيفة) area of northern Bayda (البيضاء). The Abu Muhammad al-’Adnani and Abu Muhammad al-Furqan training camps were an attempt by Islamic State to “consolidate and expand” their foothold in that region, she has argued.<sup>42</sup> The short-lived US air campaign against IS-Y in and around Qayfa (قيفة), then, appears to have represented a concerted effort by US Central Command to degrade any operational capacity that IS-Y possessed in the region.



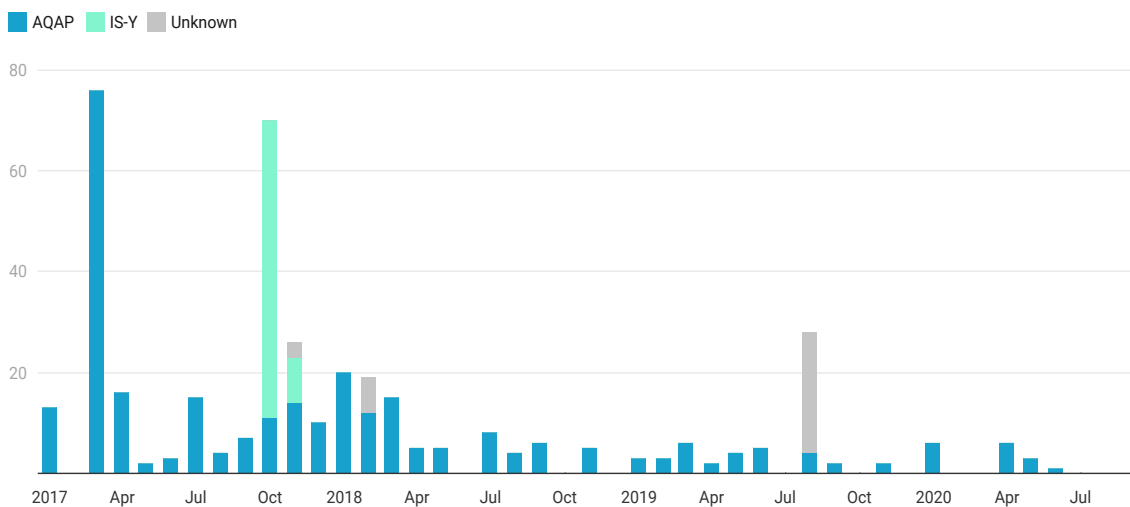
IS-Y fighters training at the Abu Muhammad al Adnani training camp, which was targeted in October 2017 by a US action (ISIS propaganda image)

41 'US Forces Conduct Strike against ISIS Training Camps in Yemen', US Central Command, October 16th 2017, at <https://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/1344652/us-forces-conduct-strike-against-isis-training-camps-in-yemen/>

42 'The Failing Islamic State within the Failed State of Yemen', Dr Elisabeth Kendall, Perspectives on Terrorism Volume: 13 Issue: 1, February 2019, at [https://www.academia.edu/38435444/The\\_Failing\\_Islamic\\_State\\_within\\_the\\_Failed\\_State\\_of\\_Yemen](https://www.academia.edu/38435444/The_Failing_Islamic_State_within_the_Failed_State_of_Yemen)

## Minimum militants reportedly killed by US actions 2017-2020, by known or suspected target

Corresponding to the observed intensity of US actions in Yemen during 2017, declared and likely strikes during the period reportedly killed at least 242 persons directly participating in hostilities, 60% of the total tracked by Airwars over the course of the Trump presidency. 28% of those reportedly killed in 2017 were known or suspected to be IS-Yemen militants, principally due to two unusually deadly strikes in October 2017.



Minimum reported persons directly participating in hostilities in the course of US actions assessed as "likely" or "declared" tracked by Airwars since January 20th 2017, broken down by known or suspected targets of action.

Chart: Airwars • Source: Airwars • Created with Datawrapper

Figure (7)

The chart shows minimum reported fatalities amongst persons directly participating in hostilities, as tracked by Airwars in the course of declared and likely US actions.

## In terms of belligerent deaths, the first year of the Trump presidency was the most deadly.

Most persons directly participating in hostilities reportedly killed in US actions in Yemen died in the first year of the Trump presidency, driven by spikes in fatalities during both March and October 2017. Unsurprisingly, given the intensity of US actions in this initial period, 242 (60 per cent) of the total minimum militant deaths tracked by Airwars were killed in 2017. As shown in the chart above, the months of March and October account for 146 (60 per cent of the minimum combatant fatalities tracked during that year.

The March 2017 spike in reported fatalities appeared principally to be due to the weight of US actions in the month targeting Al-Qaeda's local franchise. Airwars has identified 45 declared and likely US actions that March, the highest total for any month in the dataset. On average, each of these actions killed 1.7 persons directly involved in hostilities. The highest minimum number of reported combatant fatalities in this category, for any individual action during March, was nine.

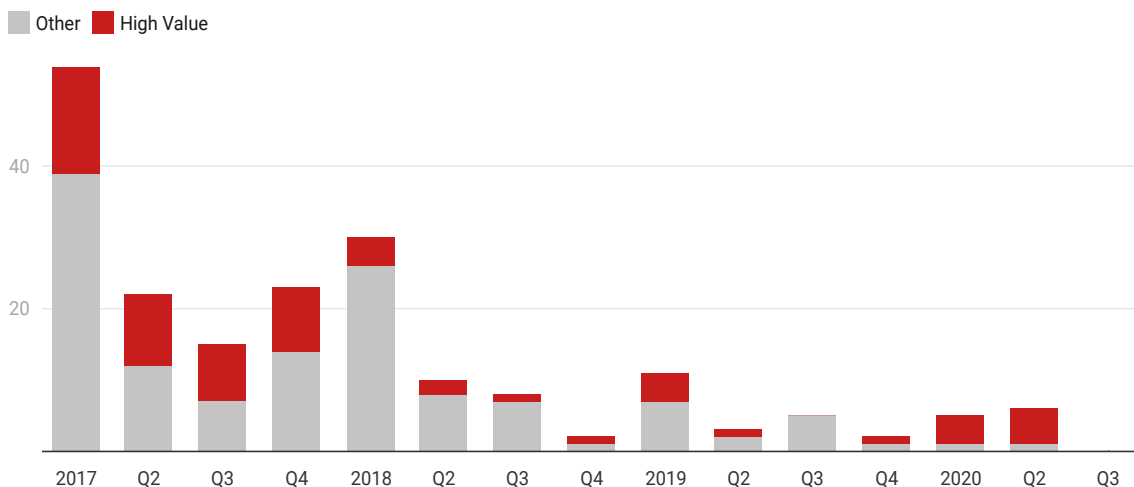
The observed October 2017 spike, however, was driven by the increased deadliness of CENTCOM strikes against IS-Y. Though only five per cent of declared or likely US actions between 2017 and 2020 targeted Islamic State in Yemen, these actions accounted for almost a fifth of the total minimum persons directly involved in hostilities who were killed. As figure (6) shows, the month did not see a substantial increase in strike numbers; instead, the spike was principally driven by the October 16th training camp attacks by the US, which were jointly responsible for "over fifty" deaths amongst alleged ISIS-Y militants according to CENTCOM.<sup>43</sup> In terms of reported belligerent fatalities, these represent the two deadliest US actions tracked in the Airwars dataset.

43 'Update on recent counterterrorism strikes in Yemen', US Central Command, December 20th 2017, at <https://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/1401383/update-on-recent-counterterrorism-strikes-in-yemen/>



## Known or suspected targeting of declared or likely actions, 2017-2020

Overall, a third of declared or likely US actions during the Trump presidency were known or suspected to have targeted one or more "high value" individuals. Of the 11 declared and likely US actions tracked by Airwars during 2020, nine were known or suspected to have involved a "high value" target.



All US actions assessed as "likely" or "declared" tracked by Airwars since January 20th 2017, broken down by known or suspected targeting. Strikes that were known or suspected to have targeted a "high value" individual were those that were either declared or reported to have targeted a person identified as e.g. leader, specialist, facilitator, etc., and therefore differentiated from rank-and-file militants.

Chart: Airwars • Source: Airwars • Created with Datawrapper

Figure (8)

The chart shows all declared and likely US actions tracked by Airwars since January 20th 2017, broken down by known or suspected targeting.

**This may be indicative of a subtly different strategic emphasis on counter-personnel action in the Q4 2017 CENTCOM campaign against ISIS-Y, compared with the substantial orientation of other US actions towards killing "high-value" targets or small numbers of Al-Qaeda militants at one time.**

One in three likely or declared US actions in Yemen during the Trump presidency believed to have focused on AQAP were also reported to have targeted at least one "high-value" individual within the terror group. Of the eleven declared and likely CIA and clandestine US military actions tracked by Airwars between January 1st and October 20th 2020 for example, nine were known or reported to have involved a "high value" target. However Airwars monitoring indicates that none of the tracked US strikes targeting IS-Y were reported or declared to have targeted or killed key figures in the organisation. These attacks instead appeared to have focused upon the organisation's personnel and emplacements.

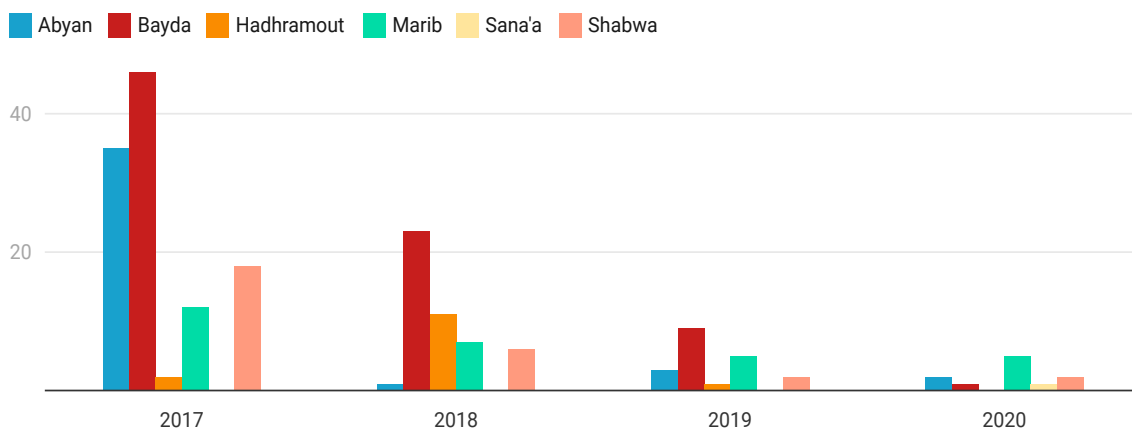
According to Yemen expert, Dr Elisabeth Kendall, this concerted pursuit of high value targets has had a detrimental effect on militant groups in Yemen: "So many of the leaders have been killed.... and the communications of Al-Qaeda, in particular, have been massively disrupted. To a lesser extent, the same goes for ISIS at least at least in the initial months after the airstrikes of October 2017 on its two main training camps," she explained. Dr Kendall added that the US actions on high-value targets had "put al-Qaeda under pressure because they end up being concerned about holding meetings to discuss strategy and iron out disputes. They can't really tackle issues that are occurring inside the group because they can't meet - this means that the seeds of doubt and suspicion, both naturally occurring and sown by spies... and are left to fester and you end up with defections and splintering". Additionally, while previously the group would have had programmes including "educational training, military training, management training," the recent US campaign had made it very difficult to run these programmes.<sup>44</sup>

44 Interview with Airwars researcher, October 19th 2020

Of the 196 likely and declared US actions in Yemen tracked by Airwars during the Trump administration, 61 events (31 per cent) did not have any associated public reports of persons directly involved in hostilities being killed. This likely represents an under-reporting. In ongoing Airwars monitoring of US counterterrorism actions in Somalia for example, public reporting on each strike by AFRICOM routinely includes estimates of al Shabaab and ISIS fighters killed.<sup>45</sup> Even where CENTCOM does admit to strikes in Yemen these are often aggregated numbers, with little additional information on enemy casualties or strike locales.

## Declared and likely US actions 2017-2020, by governorate

Over 40% of tracked events assessed as declared or likely occurred in Bayda governorate. While Marib governorate accounted for only 15% of total alleged actions, almost half of all tracked events in 2020 took place in the governorate.



All US actions assessed as "likely" or "declared" tracked by Airwars since January 20th 2017, broken down by governorate. Excludes four cases where governorate was uncertain, or action was alleged to have occurred in a border region.

Chart: Airwars • Source: Airwars • Created with Datawrapper

Figure (9)

The chart shows all declared and likely US actions tracked by Airwars since January 20th 2017, broken down by governorate, excluding cases of uncertain or unknown location

## The geographical focus of tracked US actions has likely reflected current challenges for both IS-Y and AQAP, with strikes decreasing in areas where their capacity has been reduced.

While in 2017 AQAP remained in effective control of swathes of Abyan (ابين) governorate, by the middle of the following year the group had reportedly been pushed out of many of its strongholds by Yemeni government forces.<sup>46</sup> This decline in AQAP's capacity in Abyan (ابين) over time may be reflected in the reduction in alleged or declared US actions there.

Similarly, AQAP has recently been reportedly forced largely to withdraw to areas near Marib City (مارب) by the Houthi advance against both AQAP and the remnants of IS-Y in Bayda (البيضاء) governorate.<sup>47</sup>

Airwars data, as displayed in figure (9), shows that levels of US activity in Marib (مارب) governorate have remained relatively constant over time, even while strike numbers in other governorates have decreased substantially. This may indicate that AQAP has maintained a long-term and ongoing presence in the governorate, while the group's presence in other locations has come under increased pressure.

45 'Press releases - US Africa Command', at <https://www.africom.mil/media-gallery/press-releases>

46 'Still Fighting Al-Qaeda', Sudarsan Raghavan, The Washington Post, July 6th 2018, at <https://www.washingtonpost.com/news/world/wp/2018/07/06/feature/as-a-u-s-shadow-war-intensifies-in-yemen-al-qaeda-is-down-but-not-out/>; 'نبي بانب ين مال ما زحل لى لى اق', Essam Ali Muhammad, Al-Ain, March 14th 2018, at <https://al-ain.com/article/yemen-abyan-al-qaeda-ar-ab-alliance>

47 'Houthi forces kill Daesh emir in Yemen's Bayda', MEMO, August 21st 2020, at <https://www.middleeastmonitor.com/20200821-houthi-forces-kill-daesh-emir-in-yemens-bayda/>

## US campaign in Yemen may undermine local attempts to control militants

Critics of US counterterrorism actions in countries such as Yemen have long argued that domestic US political concerns may be overriding wider American strategic interests - as well as efforts by potential local partners to control and contain militant groups. This is especially the case when it comes to accounting for the complex relationship that local Yemeni tribes might have with AQAP. This has been a problem that has challenged the US's counterterrorism campaign since the early days of Obama's administration.

One example is the May 2010 drone strike that killed Jaber al-Shabwani, the deputy governor of Ma'rib (مارب) Governorate and a prominent tribal sheikh, after the US was fed poor intelligence that suggested he was collaborating with AQAP. Shabwani was in fact reportedly attempting to strike a deal for local AQAP militants to surrender. As a result, the killing of Shabwani resulted in a significant backlash that only served to entrench anti-American sentiment within the local population.<sup>48</sup> The Trump administration's escalation of military action in Yemen has, it is claimed, further exacerbated these failings, right from the first US actions authorised under his presidency.

During the first few months of 2017, US forces carried out their first known ground raids in the country since the failed attempts to free an American hostage, photo-journalist Luke Somers, in November and December 2014.<sup>49</sup> The first Trump operation, conducted on January 29th 2017, resulted in significant destruction in the village of Ghayil (الغيل), part of a wider cluster of settlements in the Qayfa (قيفة) region of Bayda (البيضاء) Governorate known as Yakla (يكلأ). Despite the officially acknowledged civilian harm from this operation, further US ground raids were conducted in the same year, two of which resulted in additional civilian deaths. These actions have further alienated local communities and powerful tribes according to reports,<sup>50</sup> which may often through their influence and social standing hold the key to limiting AQAP's reach in the region.

Furthermore, as a result of the sometimes porous relationship between tribes, Yemeni forces and AQAP, many US actions have allegedly targeted tribal members who had either left AQAP, or were simultaneously members of the Yemeni armed forces. Examples of this tracked by Airwars include a reported September 2018 drone strike in Yakla (يكلأ) which was said to have targeted Salem al-Tisi, a commander of the Rada'a Brigade of the Yemeni National Army. According to multiple local sources recorded by Airwars, US drones killed him and his companion, while he was on his way to meet with a military official in Marib (مارب).

Meanwhile, tribes report that they have felt continually targeted by the US's campaign in Yemen. For example, the Dhahab family in Rada'a (رداع), in Bayda (البيضاء) Governorate, have continued to be targeted by US strikes despite publicly breaking their alliance with AQAP and disowning Tariq al-Dhahab, an Emir for the group. The targeting of tribal members has often had a detrimental impact on local efforts to counter AQAP in the country. As explained by Nadwa Dawsari, in her report *Foe not Friend: Yemeni Tribes And Al-Qaeda In The Arabian Peninsula*, the blunt instrument of strikes undermines efforts by tribal elders to convince their members who have joined AQAP to leave the group in exchange for immunity.<sup>51</sup>

48 'Drones spur Yemenis' distrust of government and U.S.', Khaled Abdullah, Reuters, October 27th 2010, at <https://uk.reuters.com/article/us-yemen-usa-qaeda/drones-spur-yemenis-distrust-of-government-and-u-s-idUSTRE69Q36520101027>

49 'U.S. Scuttled Negotiations To Free American Killed In Yemen', Casey L. Coombs, Iona Craig and Cora Currier, The Intercept, December 11th 2014, at <https://theintercept.com/2014/12/11/u-s-scuttled-negotiations-free-american-killed-yemen/>

50 'Foe Not Friend: Yemeni Tribes and Al-Qaeda in the Arabian Peninsula', Nadwa Dawsari, Project On Middle East Diplomacy, February 2018, at [https://pomed.org/wp-content/uploads/2018/02/Dawsari\\_FINAL\\_180201.pdf](https://pomed.org/wp-content/uploads/2018/02/Dawsari_FINAL_180201.pdf)

51 Ibid., p.33

The US ground raid on May 23rd 2017 illustrated this dilemma. Two of those killed by the raid were from the Ethlan clan, a branch of the Murad tribe in the village of al-Joobah (الجوبة) in Marib (مارب). Community members told Nadwa Dawsari that the two men were on the verge of leaving the group following an ultimatum from the tribal leaders before they were eventually killed in the ground raid, thus rendering the tribe's efforts futile. Incidents such as these may reinforce the narrative that the United States is targeting Yemeni tribes and that disowning extremist groups will not guarantee safety from US counterterrorism actions, which in turn discourages members from leaving AQAP and ISIS.

**There are indications that the Trump administration may have considered those who had seemingly cut ties with AQAP to be legitimate targets.**

In January 2019, US Central Command confirmed that a US airstrike had killed Jamal Al-Badawi, reportedly one of those behind the 2000 bombing of the USS Cole in Aden harbour, describing him as a "legacy" AQAP militant.<sup>52</sup>

Several sources indicated that Al-Badawi had left the extremist group, promising to give up his support for AQAP, as well as information on several Al-Qaeda operatives, in exchange for some degree of freedom.<sup>53</sup> No known public sources reported that he had become re-involved in terrorism since then, yet it appears he was still considered a justifiable target for a strike.

On January 6th 2019, US President Donald Trump tweeted that "Our GREAT MILITARY has delivered justice for the heroes lost and wounded in the cowardly attack on the USS Cole. We have just killed the leader of that attack, Jamal al-Badawi. Our work against Al-Qaeda continues. We will never stop in our fight against Radical Islamic Terrorism!"<sup>54</sup>



**Donald J. Trump** ✓

@realDonaldTrump



Our GREAT MILITARY has delivered justice for the heroes lost and wounded in the cowardly attack on the USS Cole. We have just killed the leader of that attack, Jamal al-Badawi. Our work against al Qaeda continues. We will never stop in our fight against Radical Islamic Terrorism!

3:27 PM · Jan 6, 2019 · Twitter for iPhone

**29.6K** Retweets   **2.4K** Quote Tweets   **142.3K** Likes

<sup>52</sup> 'USCENTCOM confirms the death of Jamal al-Badawi', US Central Command, January 7th 2019, at <https://www.centcom.mil/MEDIA/STATEMENTS/Statements-View/Article/1725215/uscentcom-confirms-the-death-of-jamal-al-badawi/>

<sup>53</sup> 'US Military's Ambiguous Definition of a 'Legitimate' Target', Gregory Johnsen, Sana'a Centre For Strategic Studies, February 20th 2019, at <https://sanaacenter.org/publications/analysis/7076>; @Rita\_Katz, Twitter, January 4th 2019, at [https://twitter.com/Rita\\_Katz/status/1081278779992010753](https://twitter.com/Rita_Katz/status/1081278779992010753)

<sup>54</sup> @realDonaldTrump, Twitter, January 6th 2019, at <https://twitter.com/realDonaldTrump/status/1081935373914259458>

A targeted attack on a reportedly reformed Al-Qaeda fighter would seem to constitute new and troubling territory for the US armed drone programme - since the killing of such individuals would appear to be outside the scope of the Authorization for the Use of Military Force Act of 2001, long used to justify US actions in theatres such as Yemen.

As this report outlines below, one year later another attempted assassination by the Trump administration in Yemen would again challenge the justifications for recent US counterterrorism actions.

## Tracking covert and clandestine US actions in Yemen

By comparing US military declarations with its own comprehensive tracking, Airwars' new data has enabled the identification of likely and effectively confirmed CIA and undeclared Special Forces operations in Yemen.

Of most concern is that while there have been no officially declared US military strikes in Yemen since mid 2019, several dozen claimed US actions have nevertheless taken place. In three incidents, all during 2020, admission of responsibility for actions by US officials in turn indicated that those attacks had been conducted either by the CIA, or were clandestine US military actions.

The first of these suspected cases occurred on January 2nd 2020, when US airstrikes targeted Abdul Reza Shahlai, a financier and key commander in Iran's Quds Force who had been active in Yemen in eastern Sanaa. Local reports suggested the incident took place in the al-Jarf (الجراف) area of the Sanaa (صنعاء) City district. The airstrike failed to kill him but did reportedly lead to the death of lower ranked IRGC member Mohammad Mirza. Mirza's death was the first combat fatality publicly acknowledged in Yemen by Iran's Quds Force.<sup>55</sup> While no known sources stated that the CIA had conducted the strike, the Washington Post - citing several officials - reported the attack to have been a US military action - even though CENTCOM told Airwars that there were no US military strikes in Yemen during the month.<sup>56</sup>

Dr Agnes Callemard, the UN Special Rapporteur for extrajudicial, summary or arbitrary executions, cited both the Suleimani killing and the attempt on Shahlai in her most recent report to the United Nations, noting that "The international community must now confront the very real prospect that States may opt to 'strategically' eliminate high ranking military officials outside the context of a 'known' war, and seek to justify the killing on the grounds of the target's classification as a 'terrorist' who posed a potential future threat."<sup>57</sup>

55 'U.S. Strike On Iranian Commander In Yemen The Night Of Suleimani's Assassination Killed The Wrong Man', Alex Emmons, The Intercept, January 10th 2020, at <https://theintercept.com/2020/01/10/us-strike-abdul-reza-shahlai-yemen/>

56 'On the day U.S. forces killed Soleimani, they targeted a senior Iranian official in Yemen', John Hudson, Missy Ryan and Josh Dawsey, Washington Post, January 10th 2020 at [https://www.washingtonpost.com/world/national-security/on-the-day-us-forces-killed-soleimani-they-launched-another-secret-operation-targeting-a-senior-iranian-official-in-yemen/2020/01/10/60f86d-bc-3245-11ea-898f-eb846b7e9feb\\_story.html](https://www.washingtonpost.com/world/national-security/on-the-day-us-forces-killed-soleimani-they-launched-another-secret-operation-targeting-a-senior-iranian-official-in-yemen/2020/01/10/60f86d-bc-3245-11ea-898f-eb846b7e9feb_story.html)

57 Cited in 'New UN report insists Soleimani assassination by US was "unlawful"', Airwars, July 9th 2020, at <https://airwars.org/news-and-investigations/new-un-report-insists-soleimani-assassination-by-us-unlawful/>



A second January 2020 action in Yemen that killed Qasim al-Rimi was confirmed by a White House statement.<sup>58</sup> Yet a Pentagon official told Politico that “This was not a DoD operation”.<sup>59</sup> A former US official told Foreign Policy that the strike was in fact conducted by a CIA aircraft.<sup>60</sup> According to one source, the incident that killed Qasim al-Rimi may also have resulted in associated civilian harm.<sup>61</sup> However, neither the CIA nor US military officials have acknowledged this. A number of other non-officially declared actions in the same area, near Marib (مارب) city, were also reported to have occurred in late January, possibly reflecting further CIA or clandestine US military actions.

The third known incident came in May 2020 in Wadi Obeida (وادي عبدة) in Marib (مارب) Governorate. The US Department of Justice confirmed that “a counterterrorism operation targeting AQAP operative Abdullah al-Maliki... was recently conducted in Yemen”.<sup>62</sup> US Central Command, however, informed Airwars that no US military strikes had been conducted in Yemen in that same month or indeed at any point in 2020. The New York Times, citing a senior US official, reported that the action against al-Maliki had been conducted by the CIA.<sup>63</sup>

CENTCOM itself asserted to Airwars that it had not conducted any airstrike in Yemen between June 24th 2019 and October 20th 2020. Yet during that period, Airwars tracked 30 allegations of US strikes in Yemen (including the three effectively confirmed operations cited above). Of these 30 alleged incidents, 15 have been assessed by Airwars as likely strikes based on local reporting, with two or more sources describing them, often in some detail. For example, several local Yemeni sources reported that a US drone strike had targeted, and possibly killed, AQAP leader Saad Al-Atiqi Al-Awlaki in Arqoub (عرقوب), Abyan (ابين) governorate, on May 16th. Some suggested that Al-Awlaki was fighting alongside Saudi-backed forces in the region.<sup>64</sup>

Three of these locally reported events in Yemen since declarations of US military actions in Yemen effectively ceased in June 2019 allegedly resulted in civilian harm - though the reporting in each case was limited. In a reported US drone strike in Marib (مارب) governorate on November 1st 2019, for example, the Alkarama Foundation, a human rights group, indicated that “two Yemenis” were killed, suggesting the possibility of civilian casualties.

These details invite the question of whether the Trump administration had, from mid 2019 onwards, actively chosen to shroud US operations in Yemen in greater secrecy - thus limiting opportunities for public accountability, including for civilian harm.

58 ‘Statement from the President’, The White House, February 6th 2020, at <https://www.whitehouse.gov/briefings-statements/statement-from-the-president-13/>

59 ‘Trump appears to confirm killing of al Qaeda leader in Yemen via retweet’, Evan Semones, Politico, February 1st 2020, at <https://www.politico.com/news/2020/02/01/trump-qassim-al-rimi-al-qaeda-yemen-110172>

60 ‘Leader of al Qaeda in Yemen Believed Dead in U.S. Airstrike’, Lara Seligman and Robbie Gramer, Foreign Policy, February 3rd 2020, at <https://foreignpolicy.com/2020/02/03/al-qaeda-leader-yemen-believed-killed-c-i-a-drone-strike-arabian-peninsula-security-brief/>

61 ‘As Houthis Close in on Al-Qaeda in Yemen, US Drone Strikes Target its Leaders’, Ahmed Abdulkareem, MintPress News, February 5th 2020, at <https://www.mintpressnews.com/as-houthis-close-in-on-al-qaeda-in-yemen-coalition-airstrikes-target-its-leaders/264639/>

62 ‘Attorney General William P. Barr and FBI Director Christopher Wray Announce Significant Developments in the Investigation of the Naval Air Station Pensacola Shooting’, US Department of Justice, May 18th 2020, at <https://www.justice.gov/opa/pr/attorney-general-william-p-barr-and-fbi-director-christopher-wray-announce-significant>

63 ‘F.B.I. Finds Links Between Pensacola Gunman and Al Qaeda’, Katie Benner and Adam Goldman, New York Times, May 18th 2020, at <https://www.nytimes.com/2020/05/18/us/politics/justice-department-al-qaeda-florida-naval-base-shooting.html>

64 ‘US drone strike targets al-Qaeda leader in Abyan’, Yemen Press Agency, May 17th 2020, at <http://en.ypagency.net/170410/>

## Conclusion: An end to US actions in Yemen - or a return to the beginning?

As noted in the initial section of this report, the intensity of US actions tracked by Airwars - both via officially declared strikes and locally reported claims - declined precipitously over the course of the Trump presidency, following a record number both of reported US actions and associated civilian harm during 2017. There are several factors that may help explain this decline in US activity.

It is possible that the ongoing strategic weakness of both AQAP and IS-Y has led to a reduction in the need for US counterterrorism actions. The terror groups AQAP and IS-Y appear to have been operationally degraded to a considerable degree since the beginning of the Trump presidency, seemingly due both to US actions and to local circumstances in Yemen. US actions have, in some cases, succeeded in inflicting significant damage to the leaderships and organisational capacity of the two extremist groups. In January 2020 for example, AQAP leader Qasim al-Rimi was killed by a reported CIA action, after a number of attempts to kill or capture him over the course of the Obama and Trump presidencies. Later, in May 2020, a further CIA or clandestine US military action reportedly killed AQAP media officer Abdullah Al-Maliki, after which the group's media output effectively ceased for some time.<sup>65</sup>

The late 2017 campaign against IS-Y, examined earlier in this report, significantly depleted the organisation. From late 2018 onwards, Dr Elisabeth Kendall wrote recently, almost all of the group's attacks were confined to Bayda (ءاض يبلا) governorate.<sup>66</sup> As noted already, both organisations had found themselves severely geographically restricted since 2017, and had come under considerable military pressure from both Houthi and Yemeni government advances. The terror groups were also often preoccupied with aggressive operations against each other, rather than focusing on outwardly-directed terrorist actions.<sup>67</sup>

However, this is not to say that AQAP's operational capacity has completely disintegrated. According to reports, the group's attacks in governorates such as Bayda had increased significantly in late 2020. This resumption of activity by AQAP had been reflected in the group's increased media output since August after the previously-mentioned five-month lull. However, AQAP's main focus had now shifted to countering Houthi advances in the governorate. Since August 2020, Critical Threats reports, AQAP has increased its counterespionage activities in al Bayda against the Houthis, and all recent attacks claimed by the group have targeted the Houthi movement.<sup>68</sup>

65 'Yemen File', Jessica Kocan and Nicholas Carl, Critical Threats, October 14th 2020, at <https://www.criticalthreats.org/briefs/yemen-file/yemen-file-al-houthi-offensive-escalates-violence-in-central-yemen>

66 'ISIS in Yemen: Caught in a Regional Power Game', Dr Elisabeth Kendall, Center for Global Policy, July 21st 2020, at <https://cgpolicy.org/articles/isis-in-yemen-caught-in-a-regional-power-game/>

67 'With the ISIS caliphate defeated in Syria, an Islamist militant rivalry takes root in Yemen', Sudarsan Raghavan, The Washington Post, April 14th 2019, at [https://www.washingtonpost.com/world/middle-east/with-the-once-declared-caliphate-of-isis-defeated-in-syria-an-islamist-militant-rivalry-takes-root-in-yemen/2019/04/13/d54148a6-34d3-4a67-a40a-9dc4f783338e\\_story.html](https://www.washingtonpost.com/world/middle-east/with-the-once-declared-caliphate-of-isis-defeated-in-syria-an-islamist-militant-rivalry-takes-root-in-yemen/2019/04/13/d54148a6-34d3-4a67-a40a-9dc4f783338e_story.html)

68 'Yemen File', Critical Threats, October 14th 2020

With AQAP currently mired in domestic struggles, it appears likely that their transnational terrorist operations may have taken a backseat to immediate threats. This could provide a further explanation of why US operations against the group have seen a sharp decline, as the group presently poses a more limited threat to US interests in the region and domestically.

It is also possible that domestic pressures within the US are leading to restrictions on US actions in Yemen. Over the course of the Trump presidency, Congress had become increasingly vocal in its concerns regarding US military support for the Saudi-led intervention in Yemen.<sup>69</sup> While the primary focus of domestic opposition had been on US arms sales and logistical support for the Saudi-led coalition, it is possible that this increased attention had an associated effect on the Trump administration's willingness to engage in unilateral counterterrorism actions in the country.

Former senior National Security Council official Luke Hartig told Airwars that the reduction in observed strikes over the last two years may relate to a number of factors, including the difficulties of intervening in such a complex conflict. "When I was covering Yemen counterterrorism, it was pretty straightforward right? You had cells and pockets of AQAP in places like Bayda (البيضاء) and Marib (مارب) and Hadhramout (حضرموت), and you had complex tribal dynamics in some places and you had to navigate that, but it was still pretty straightforward in that there was one authority outside of the Houthi areas for the country. Now, with the Houthi overthrow of the government and the increased Saudi war and everything, it's a more complicated environment. What does that mean for targeting? Well, first it means that it's more difficult to know exactly what you're getting into with any strike, what's the area like, will there be some sort of fallout from it?"

Hartig further observed that the deaths of US service personnel during 2017, in Yemen and beyond, may have led to an internal "backlash" against unrestrained US military activity, particularly ground raids. "I know that there was a lot of desire coming into this administration to supposedly take the handcuffs off of operators and get down to business, but when we actually did that there were a lot of deaths that arguably shouldn't have happened, and I think there could have also just been a bit of a backlash and a desire to switch back... Even somebody like [former US Defense Secretary] Mattis, who was extremely critical of how the Obama administration handled operations and spent his whole career as an operator, recognised the need to put stricter governance on some of these things, so I think that could have been what happened here as well."

Some reports indicate that the US may now be increasing its reliance on local allies to target Jihadist groups in Yemen. According to files obtained by Yahoo News through the Freedom of Information Act, the US has been training UAE pilots for combat operations in Yemen, for example.<sup>70</sup> The files indicate that training would both support the UAE in its ongoing war with the Houthis, as well as forming a part of the United States' wider counterterrorism strategy. Consistent with this finding, at the end of August 2019 the UAE conducted its own aerial offensive against "terrorist militias" in Abyan (ابين) and around Aden (عدن), though others indicated that the strikes were targeting the pro-Hadi Yemeni military.<sup>71</sup>

69 See for example 'Congress and the War in Yemen: Oversight and Legislation 2015-2020', Congressional Research Service, June 19th 2020, at <https://fas.org/sqp/crs/mideast/R45046.pdf>; and 'Lawmakers Aim to Prevent Trump From Bypassing Ban on Armed Drone Sales', Edward Wong, New York Times, August 6th 2020, at <https://www.nytimes.com/2020/08/06/us/politics/lawmakers-trump-armed-drone-sales.html>

70 'Despite denials, documents reveal U.S. training UAE forces for combat in Yemen' Nick Turse, Yahoo News, January 16th 2019, at <https://news.yahoo.com/despite-denials-documents-reveal-u-s-training-uae-forces-combat-yemen-171513437.html>

71 'يبدو ان نواعثا و قذائف جرافا قرازو نع رداص نايب', Emirates News Agency, August 29th 2019, at <http://www.wam.ae/ar/details/1395302782841>; 'UAE carries out air strikes against Yemen government forces to support separatists', Mohammed Mukhashaf, Reuters, August 29th 2019, at <https://www.reuters.com/article/us-yemen-security/uae-carries-out-air-strikes-against-yemen-government-forces-to-support-separatists-idUSKCN1VJ17F>

However, a comparison of US counterterrorism actions by the Obama and Trump presidencies suggests that the end may not yet be in sight for the US's long running campaign in Yemen. When viewed alongside levels of US activity tracked by the Bureau of Investigative Journalism during the Obama years, the last three years of the Trump presidency are not clearly indicative of finality. The dynamics of a small number of reported US actions during 2020, which have principally emphasised strikes against "high value" targets, suggest that the ongoing focus of US actions will be on continued low-intensity suppression of AQAP and IS-Y - a return to the so-called "mowing the grass" strategy controversially employed in several US counterterrorism efforts globally.<sup>72</sup>

The shift from mid 2019 onwards from declared US military actions in Yemen in favour of covert and clandestine strikes also indicates a significant decline in accountability under the Trump administration - making clear that any incremental transparency gains secured under Obama were not a given. That absence of public accountability may lead the executive to make decisions that do little to enhance long term US national security interests.

On January 2nd 2020 in Iraq, the US had controversially used an armed drone to assassinate General Qasim Suleimani, head of the Iranian Revolutionary Guard Corps. Less well reported was a reported US military strike in Yemen at the same time, which had unsuccessfully targeted Abdul Reza Shahlai, an Iranian Revolutionary Guard and Qods Force commander in Sana'a (صنعاء). This constituted the first known US action in Yemen under any recent president apparently unrelated to counterterrorism operations against either AQAP or IS-Y. Both the Iraq and Yemen actions pointed to extrajudicial killings by the United States.

As Donald Trump's administration of 2017-2021 draws to a close, US counterterrorism actions in Yemen are demonstrably less transparent and accountable than under his immediate predecessor Barack Obama. Indeed the high water mark of transparency under Trump for civilian harm in Yemen came just twelve days into his presidency - and has been in decline ever since. The challenge for the next United States administration - assuming that the US continues to target declining terror groups within Yemen - is to ensure that when things do go wrong for civilians on the ground, that justice and accountability for US errors are properly served.

72 See for example former CIA analyst Bruce Riedel's 'lawn mower' comments in 'Plan for hunting terrorists signals U.S. intends to keep adding names to kill lists', Greg Miller, Washington Post, October 23rd 2012, at [https://www.washingtonpost.com/world/national-security/plan-for-hunting-terrorists-signals-us-intends-to-keep-adding-names-to-kill-lists/2012/10/23/4789b2ae-18b3-11e2-a55c-39408f6e6a4b\\_story.html](https://www.washingtonpost.com/world/national-security/plan-for-hunting-terrorists-signals-us-intends-to-keep-adding-names-to-kill-lists/2012/10/23/4789b2ae-18b3-11e2-a55c-39408f6e6a4b_story.html)

# Appendix:

## Transforming understanding of US campaigns in Yemen

The methodology employed by Airwars has enabled the considerable expansion of our understanding of US actions in Yemen for the years 2017 to 2020, by reorienting research towards the reported experiences of Yemenis themselves. Specifically, Airwars' hyperlocal focus has frequently proven instrumental in advancing our understanding of alleged US actions and their effect on the local populace. In order to obtain this perspective, Airwars researchers have captured all publicly available sources reporting on US actions in Yemen in both Arabic and English.

At time of publication, some 4,469 sources are included in our public database, of which over 60 per cent are in Arabic. Across the 25 events that Airwars assesses as likely having caused civilian harm, 745 sources are recorded and preserved, including 377 in Arabic.<sup>73</sup> In some cases, reference to local language sources has enabled us significantly to disaggregate periods of high action intensity. While the original Bureau data included five multi-strike entries for March 2017, our own data provides 52 unique disaggregated entries for alleged and declared US actions in the same period, based on local reporting by Yemenis themselves.

Of the reported and confirmed US actions in Yemen tracked by Airwars, over 60 per cent have been geolocated by inhouse experts to at or below the village-level of precision, enabling the accurate public mapping of the parallel US military and CIA campaigns for the first time. This more precise locational data can in turn lead to significant improvements in casualty assessments by military commands, as Airwars' engagement with the international Coalition in Iraq and Syria has demonstrated.

Beyond increasing our understanding of US actions at a macro level, the use of local language sources has revealed significant additional details about specific civilian harm incidents over the last four years. The below incidents, four of which occurred in the nGovernorate of Bayda (البيضاء) during 2017, and one in the Governorate of Marib (مارب) as recently as April 2020, relied significantly on local language sources for information on the extent of civilian harm; as well as the close location of each strike.

### September 9th 2017

US drone strikes reportedly took place in the area of al-Saru (السرور) in Suma'a (الصومعة) district of Bayda (البيضاء). The strikes were claimed locally to have killed at least one AQAP militant and as many as four civilians. This incident was reported by only nine English sources. Meanwhile, 42 separate Arabic sources reported on this event. The local language sources asserted that among the non-combatants reportedly killed, some may have been paramedics. Furthermore, a previously unaccounted for strike was found to have allegedly taken place in the area at the same time.

<sup>73</sup> Tally represents the sum of all sources listed in each event. Some detailed or important sources appear multiple times across a number of events.





A charred motorbike following a reported US drone strike in September 2017 that targeted suspected AQAP militants in al-Saru, Bayda Governorate (Image via @ShabbirTuri)

## November 11th 2017

The confirmed US drone strike in Qayfa (قيفة) on November 11th initially received minimal media attention, as major international outlets such as CNN reported that the attack had targeted and killed ISIS militants. However, more localised social media reports indicated that the strike had likely killed a civilian and seriously injured another. Furthermore, local news outlets such as al-Khabar Now and Yemen Shabab revealed the names of civilians said to have been harmed in the strike. According to these sources, Dares Ahmed bin Ahmed Jaraoun was killed and his brother, Saeed Ahmed bin Ahmed Jaraoun was seriously injured, both of whom were the children of Ahmed bin Ahmed Jaraoun. Al-Khabar Now reported that one of the victims was a student. Later, an on-the-ground investigator reported to Reprieve that civilians were indeed harmed in the incident. Local language sources also revealed the near location as well as the exact timing of the event. These details were not picked up by major media outlets at the time.

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Outlined in red shows the area around Khabran (ناربخ), where the November 11th drone strike took place according to Airwars geolocators (image via Google Earth)

## November 23rd 2017

Less than two weeks after the November 11th drone strike, another action was reported in the Yakla (يكلأ) area of Qayfa (قيفة). Once again, this strike received minimal media coverage, with British investigative reporter Iona Craig being the only known English-language source reporting civilian harm. Meanwhile, CENTCOM in an email to the Bureau of Investigative Journalism confirmed that a strike took place, but made no mention of civilian casualties, instead claiming that the strike had killed two ISIS militants. Local language sources, however, painted an entirely different picture. Three in particular - Yemen Shabab, Huna Radaa, and Aden News - gave specific details of the victims of the strike, insisting that they were in fact civilians. The sources named those killed as 25-year old Ahmed Salem Mabkhout Al-Ameri, and 14-year old Muhammad Musaad Abbad al-Bagh, and indicated that they were targeted by a US drone while on a motorbike in the Al Ahmas (الأحماس) area of Yakla (يكلأ). Additionally, Alharf28 asserted that the victims were working on a farm in the area and had no ties to extremist groups. Aden News also reported that those killed were farmers, according to locals, and added that they were returning from prayers at the time.

## November 26th 2017

A US Central Command spokesperson confirmed that an airstrike took place in Qayfa (قيفة) on November 26th 2017 killing three suspected ISIS militants. International media outlets such as AFP and al-Arabi also reported that those killed were "known for their ties to al-Qaeda". However, an examination of local commentary and reports on the strike found that several sources and news agencies had indicated the attack had instead killed at least three civilians. Al-Masdar Online spoke to residents in Qayfa (قيفة) and reported that the US attack had killed three civilians in the Aqaba Zaaj area in the district of Qayfa (قيفة). The dead were named as Salman Salem Al-Amri, Fadl Ali Al-Tisi and Dahan Saleh Al-Tisi, and residents denied that any were affiliated with AQAP or ISIS.



The Qayfa area, where the November 26th airstrike took place (via Google Earth)



## April 11th 2020

Multiple local sources reported that a US drone strike or action by a local belligerent had targeted the house of Ali Bin Hassan Bin Gharib, an Islah leader, in the Al-Shabwan (ال شوان) area, in Marib governorate in the early morning of April 11th 2020. While Bin Gharib was reportedly unharmed, local residents told Al-Masdar Online YPA Agency, and Sahaftak that the strike had resulted in civilian casualties, partly destroying the house and some neighbouring buildings. As a result of these sources, Airwars was able to geolocate the exact location where the alleged strike occurred.



Precise location of the houses reportedly damaged as a result of the April 11th 2020 alleged drone strike (via Google Earth)

## Why Airwars casualty estimates differ from others

As the events outlined above demonstrate, the Airwars approach differs methodologically from others monitoring US actions in Yemen - mainly the New America Foundation, and the Long War Journal - which focus primarily on English language sourcing. As of October 20th 2020 for example, New America had tracked between 27 and 48 civilian deaths reportedly resulting from US actions during the Trump years in Yemen<sup>74</sup>; while the Long War Journal appeared no longer to be reporting civilian harm estimates as part of its own online Yemen resource.<sup>75</sup>

By contrast, Airwars focuses primarily on identifying and archiving local language reporting (in this case Arabic) generated at a hyperlocal level. This approach has proved highly effective in Iraq and Syria, where in recent years almost two thirds of civilian harm claims deemed Credible by the US-led Coalition were triggered by Airwars referrals. That is, military analysts were unaware of credible local civilian harm claims until alerted by Airwars, primarily as a result of local language reporting. A similar approach is used by Airwars to track Russian and Turkish actions in Syria; and both domestic and foreign actors in Libya.

<sup>74</sup> 'The War in Yemen', New America International Security Program, at <https://www.newamerica.org/international-security/reports/americas-counterterrorism-wars/the-war-in-yemen/>

<sup>75</sup> 'US airstrikes in Yemen', Long War Journal, at <https://www.longwarjournal.org/us-airstrikes-in-the-long-war>

# The Airwars methodology

In order to track current US actions, Airwars conducts daily monitoring of local Arabic-language media and social media sites in Yemen for civilian casualty and general strike claims relating to claimed US actions. In addition, our researchers also monitor global English-language reporting on US actions. We permanently archive all reports and follow up on allegations with belligerents wherever possible.

Airwars has also reviewed and revised more than 75 original Bureau of Investigative Journalism assessments relating to claimed civilian harm events in Yemen covering the years 2017 to 2019. Reporting emphasis has shifted from primarily English-language sources towards Arabic-language Yemeni sources. This in turn has led to a significant number of additional event assessments being included in the Airwars data.

When flagging potential civilian deaths or injuries from airstrikes, Airwars draws on a wide range of sources. These can include international and local news agencies and NGOs; and social media sites including local residents' groups, Facebook pages, YouTube footage of incidents, and tweets relating to specific events. On occasion, we also include links to militant and terrorist propaganda sources which are directly pertinent to an event. These are always clearly marked as such.

Sources are flagged to events and preserved, which are then published alongside written assessments of the allegations based on our standard methodology. Because of wide variations in the quality of casualty recording, Airwars employs a provisional grading system for events alleging non-combatant deaths or injuries from military actions. This represents its own assessment of allegations, and Airwars urges those using the site to make their own judgement based on archived sources. The Airwars grading system is as follows:

## **Confirmed**

A specific belligerent has accepted responsibility for the killing or injuring of non-combatants in a particular incident.

## **Fair**

Where, in the view of Airwars, there is a reasonable level of public reporting of an alleged civilian casualty incident from two or more uncontested credible sources (often coupled with biographical, photographic or video evidence). Crucially, this includes likely or confirmed actions by a belligerent in the near vicinity for the date in question. We believe these cases, in particular, require urgent investigation.

## **Weak**

These are presently single source claims. Nevertheless, they often feature biographical details of victims along with visual evidence from a reputable source – and with international strikes confirmed in the near vicinity for the date in question.

## **Contested**

These occur where there are competing claims of responsibility: multiple belligerents are reported, or casualties are also attributed to ground forces. For example, both US-led Coalition and Russian aircraft might be blamed for an attack in Syria.

## **Discounted**

Incidents where our researchers or others can either demonstrate that those killed were combatants; or that other parties (e.g. the Iraqi Armed Forces or Syrian Regime) were most likely responsible. This categorisation also applies if we determine that an incident likely did not result in any civilian casualties.

## **No civilian harm reported**

With significant public interest in all US counterterrorism strikes outside the regular battlefield, this category enables us to report on strike allegations whether involving civilian harm claims or not. We may also on occasion include incidents in which civilian infrastructure was reportedly targeted – even if casualties were not claimed.

## About this report

This report is researched and authored by Mohammed al-Jumaily and Edward Ray and is edited by Chris Woods, with geolocation by Clive Vella and Hanna Rullmann. Additional Yemen research and assessments for Airwars were conducted by Alex Hopkins, Beth Heron, Poppy Bowers, Laurie Treffers, Chloe Skinner, Oliver Imhof, Liam Timmons, Vasiliki Touhouliotis, Matthew Walleser and Alison Huyghe.

*Eroding Transparency* presents a comprehensive review of US counterterrorism operations in Yemen under President Donald Trump, from January 20th 2017 to October 20th 2020. While building on an earlier dataset from the Bureau of Investigative Journalism - now archived at Airwars - this report substantially reorientates open source monitoring of US actions by focusing extensively on hyperlocal media and social media reporting by Yemenis themselves, primarily in Arabic.

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